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A RE-STUDY OF THE MOVEMENT TOWARD AMERICAN INDEPENDENCE, 1760-1778

A Dissertation

SUBMITTED TO THE FACULTY OF PHILOSOPHY OF THE CATHOLIC UNIVERSITY OF AMERICA IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY

BY

REV. LAWRENCE J. DAVITT, (O.S.B.), A.B., M.A.

THE CATHOLIC UNIVERSITY OF AMERICA

WASHINGTON, D. C.

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CONTENTS.

		PAGE
PREFACE		ix
CHAPTER		
I.	CHANGING POLITICAL VIEWPOINTS, 1606-1775	1
II.	COLONIAL OPPRESSION, 1651-1767	15
III.	LAW ENFORCEMENT, 1768-1775	29
IV.	THE CAUSE IDEALIZED, 1774	43
V.	REJECTION AND REBELLION, 1775	57
VI.	THE INVASION OF CANADA, 1775	70
VII.	THE SEARCH FOR SOLDIERS	79
VIII.	SCHUYLER AND GATES	84
IX.	BURGOYNE'S ARMY	89
X.	TICONDEROGA, 1777	95
XI.	FORT EDWARD AND BENNINGTON, 1777	100
XII.	FORT STANWIX, 1777	109
XIII.	STILLWATER AND BEMIS HEIGHTS, 1777	113
XIV.	THE SURRENDER AT SARATOGA, 1777	125
XV.	THE VIOLATED CONVENTION	132
XVI.	THE ALLIANCE WITH FRANCE, 1778	135
	BIBLIOGRAPHY	151
	GENERAL INDEX	157

PREFACE.

This dissertation is designed to be a re-study of the social, the political and the military events antecedent to the Franco-American alliance of 1778. At first sight this task appears to be at once ambitious and unnecessary. Despite the fact that there is an abundance of literature on the subject, the present writer believes that certain political events immediately preceding the American Revolution have not been carefully considered. The period from 1760-1778 was a critical epoch not only for American colonists but for Englishmen as well. The reigning monarch of England, George III, was steadily tightening his grasp upon the sovereign authority in the realm. Had he succeeded in perfecting this design, there is reason to believe that the gradual development of English constitutional law, as it now is, would have been arrested, the political results of the Revolution of 1688 in England voided, and an established democracy indefinitely postponed. In proof of this opinion this writer emphasizes those social, political and economic phases of English and of American life, which heretofore have received only minor attention.

The desire for freedom is deeply engraved in the heart of every human being, and always manifests itself in a rejection of those measures which interfere with the development of individual personality. No doubt there are petty grievances and spasmodic signs of unrest to be noted in the American colonies prior to the year 1760. It is easy to discover in Massachusetts as early as 1637 signs of discontent. These, however, did not become positively and definitely assertive until King George III had been five years upon the throne. The writer has

therefore purposely confined himself to the period between 1760-1778. To avoid a confusion of ideas relative to the force of any particular factor in hastening the American Revolution, each in turn has been thoroughly examined.

Considerable space has been given to the campaign of Lieutenant-General John Burgoyne, while for obvious reasons other American victories and reverses have received less attention. The motive for this is that the surrender at Saratoga was the turning point in the struggle between the plain people and the ruling classes. It is justly ranked among the fifteen decisive battles of the world, a place assigned to it by Creasy.

The Declaration of Independence, at least in theory, severed all political connections with the mother country. In itself this would have been an idle gesture had the American forces failed to check the advance of Lieutenant-General Burgoyne. A Franco-American alliance, so vital to the success of the American Revolution, would probably never have been effected. King Louis XVI of France was not the type of ruler to hazard all upon a piece of paper that contained new principles of political independence in which he did not believe. Consequently, the writer's purpose in stressing all the events which led to the advantages at Bemis Height and Stillwater as well as the surrender at Saratoga.

As stated above, there is no dearth of literature concerning the struggle for American Independence, and in quantity it is daily increasing. This is a good omen. It manifests a new interest in an important theme, and will eventually lead the people of England and America clearly to see that their political interests were in jeopardy. However, the successful outcome of the American Revolution established the right of democracy to rule.

For scholarly direction and kindly encouragement the

author is greatly indebted to Professors Charles H. McCarthy, Ph. D.; Very Rev. William J. Kerby, S. T. L., LL. D., *Docteur en Sciences Politiques et Sociales;* Richard J. Purcell, Ph. D.; Rev. Peter Guilday, Ph. D., LL. D.; Rev. George B. Stratemeier, O. P., Ph. D.; Very Rev. Valentine Schaaf, O. F. M., J. C. D.; Very Rev. Francis E. Hyland, J. C. D.; and to the Very Reverend Edward A. Gilgan, S. S., S. T. D., President of Divinity College.

Rev. Lawrence J. Davitt, O. S. B.

Washington, D. C.,
June 1929.

CHAPTER I

Changing Political Viewpoints, 1606-1775

The supremacy of the mother country was expressly stated in the first charter which the colonists took with them to America.[1] That England retained the right to tax the colonies is shown in the charter granted to Henry Rosewell and others, early settlers in New England. In that document tax exemption was granted to the colonists for two periods: one for seven years, another for twenty-one years. Limited autonomy was likewise bestowed upon the colonists with the expressed agreement that laws or ordinances should not be made that were repugnant to the laws and statutes of England.[2] There is no case on record showing that England ever relinquished her right to supervise the colonies named in the early charters. On the other hand, there is abundant evidence demonstrating that this authority over the colonists was retained by the superintending power of England.

As late as 1763, James Otis is reputed to have been of the opinion, that, "No other constitution or civil government had yet appeared in the world so admirably adapted to the preservation of the great purposes of liberty and knowledge, as that of Great Britain. Every person in America is of common right, by Acts of Parliament, and the laws of God, entitled to all the essential privileges of Britons. The true interests of Great Britain and her colonies are mutual, and what God in His providence has united, let no man dare attempt to pull asunder."[3] Two years later Otis reiterated this statement. "It is certain that the Parliament of Great Britain hath a just, clear,

[1] Hutchinson, *Diary & Letters of Thomas Hutchinson*, vol. I, p. 3.
[2] *Ibid.*, pp. 3-4.
[3] Curwen, Samuel, *Journal & Letters*, p. 19.

equitable, and constitutional right, power and authority to bind the Colonies by all Acts wherein they are named. Every lawyer, nay, every tyro, knows this.''[4] After reading these opinions attributed to Otis, little room is left for doubting the positon of the American colonies in the scheme of English governmental structure. It is in strict accord with the early charters.

In 1757 the Assembly of Massachusetts, sitting at Boston, presented an Address to Governor Pownall a section of which reads: ''The authority of all the Acts of Parliament which concern the Colonies, and extend to them, is ever acknowledged in all the courts of law, and made the rule of all judicial proceedings in the Province. There is not a member of the General Court, and we know no inhabitant within the bounds of Government, that ever questioned this authority.''[5] It is superfluous further to make citations relative to the universally accepted opinion that the English Parliament was supreme, and was so regarded. It should not, however, be overlooked that two years previous to this declaration of loyalty and devotion John Adams wrote, '' . . . the united force of all Europe will not be able to subdue us.''[6] Were it not for the fact that Mr. Adams held a position of preëminence among the inhabitants of the Massachusetts colony his testimony could be lightly passed over as the effusion of a deranged mind. The more plausible explanation is that it expressed a deep-rooted dissatisfaction with English interference in colonial affairs. This letter is amply verified by the contents of a letter written to the native inhabitants of Duxbury, the lineal descendants of the old Plymouth colony. ''It is,'' writes Samuel Adams, ''an Affront to the Understanding of our Ancestors to suppose, that when they

[4] *Ibid.*, p. 19.

[5] Hutchinson, *History of Massachusetts Bay Colony*, III, p. 66.

[6] Adams, J., *Work*, I, p. 23.

took possession of this Country, they consented, even tacitly, to be subject to the unlimited Controul of a Government without a Voice in it, the merciless Oppression of which was intollerable even when they had a voice there.''[7] Marked inconsistency is evident between public manifestations of loyalty to the crown, and private opinions upon the same subject.

Unexercised authority is not long in losing respect and obedience. This seems to have been the position of parliament when plans were conceived more closely to weld together the distant parts of the realm. From the beginning royal requisitions were laid before the representatives of the people in their various assemblies. Though this procedure was a privilege, it ultimately led the colonists to feel and to believe that they were independent of parliament. ''I am indeed of opinion,'' wrote Benjamin Franklin, ''that the parliament has no right to make any laws whatever, binding on the colonies; that the king, and not the king, lords, and commons collectively, is their sovereign; and that the king, with their respective parliaments, is their only legislator.''[8] This opinion was shared by the other colonies.[9] It was born of privilege, and nurtured by custom.

The legal status of the colonies depended upon their charters. These instruments of government might be, ''modified or annulled either by Act of Parliament or by combined action of the courts and the King in Council.''[10] The colonies were, in theory and by law, dependent upon parliament. The fact, however, was this. They had for so long a time enjoyed a nominal independence that they became suspicious of all measures that savored of encroachment. If America was to remain an integral part

[7] Adams, Samuel, *Writings*, III, p. 32.
[8] Smyth, A. H., *Franklin's Writings*, VI, p. 144.
[9] Egerton, H. E., *Causes & Character of the American Revolution*, p. 6.
[10] *Ibid.*, p. 17.

of the British system, a change, a tightening up of the loose cords which bound them to the realm must sooner or later be made, for their present status was quite incongruous. This was one of the chief aims with which George the Third in 1760 mounted the throne on the death of his grand-father.[11] Governor Bernard in his official papers records this fact, " . . . the Relation between Great Britain and the Colonies has not only been never settled, but scarce ever formally canvassed. It is less surprizing that the Idea of it on one side of the Water and on the other are so widely different. To reconcile these, and to ascertain the nature of the Subjection of the Colonies to the Crown of Great Britain, will be a work of Time and difficulty." [12] Thoughtful gentlemen realized that this question must be settled. But so long as England refrained from any solution of it, independence was kept in the background. In England and in America it was generally expected that this complex problem would be solved at the termination of hostilities with France.[13] As to the method of solution Governor Bernard states, " . . . a Provision for an independent & competent Support of the gouvernments thereof would have a principal Place. As the Want of such a provision had been known, by the Experience of many years, to be a Chief Cause of the Weakness of the King's Authority there, & the Foundations & Support of most of the Disputes which had Distracted the Gouvernments thereof." [14]

The same authority has given us one part of the *status questionis*. The other parts inhere in the purpose of King George the Third *to rule*, and the peculiar psychology of the colonists in 1765, which was the outgrowth of many factors. Geographic separation in addition to

[11] Green, J. R., *History of the English People*, V, p. 252.
[12] Bernard, Sir Francis, *Official Papers*, IV, p. 203.
[13] *Ibid.*, IV, p. 293.
[14] *Ibid.*, V, pp. 293-4.

the removal of the French Government from Canada, and the fact that the savage Indians of the forest were rapidly vanishing encouraged colonial resistance to any interference from England. British protection being no longer needed, the fact of political independence became a matter of expediency. This can be proved by a letter of John Adams, the political seer of Braintree, written twenty years before actual resort to armed resistance had taken place. " . . . if we can," he writes, " remove the turbulent Gallicks, our people, according to the exactest computation, will in another century become more numerous than England itself. Should this be the case, since we have, I may say, all the naval stores of the nation in our hands, it will be easy to obtain the mastery of the seas; and then the united force of all Europe will not be able to subdue us."[15] In the final analysis, this is independence anticipated, aimed at, and desired. England was not unaware of the prevailing sentiment as expressed in the above passage, because, " The British government, not chusing to permit the union of the colonies as propos'd at Albany, and to trust that union with their defense, lest they should thereby grow too military, and feel their own strength, suspicions and jealousies at this tme being entertain'd of them, sent over General Braddock with two regiments of regular English troops for that purpose."[16] In other words, England undertook the supervision of the War of 1755, against the French, because among other things she feared the union of the colonies which had commenced in the Albany congress.[17] Union meant strength; and strength opposition, which eventually would have been translated into political independence.

In tracing the causes that gave birth to American free-

[15] Adams, J., *op. cit.*, I, pp. 22-24.
[16] Smyth, A. H., op. cit., I, p. 393.
[17] Adams, J., *op. cit.*, IX, p. 592.

dom, present day writers are stressing the economic phases of the issue with the result that the ideals which motivated the colonists are obscured. To deny that economic factors entered into the affair is totally to be ignorant of the subject; while overstressing these factors offends in another direction. Carlton Hayes, in his *Essays on Nationalism*, brings forth an idea that is well worth remembering when treating any great event in human history. He states that, "Human beings do not normally and willingly give their lives for economic gain."[18] Hence fully to understand the significance of American political independence we must look to conditions in England, and study American reaction to them.

Upon the death of Queene Anne, August 1, 1714, the Elector's Commission of Regents nominated the Protestant Elector of Hanover king of England. Unable to speak the English language, and possessing little knowledge of British politics and legislation, the new monarch ascended the throne as George the First. It is a significant fact that of the eighteen votes polled in nominating this member of the House of Hanover, thirteen were cast by the Whigs. Incidentally the first cabinet selected by the new ruler was, with the exception of one member, composed of the same element that gave him the thirteen votes. Obviously handicapped by his inability to speak English, George the First refrained from attending the cabinet meetings for the simple reason that his ministers could speak no German, his mother tongue. Thus circumstanced the cabinet gradually strengthened its tendency to assert an independent position. It is right here that the seed of the American struggle for autonomy was sown. Under George the First, the cabinet waxed strong and powerful, the office of Prime Minister took on a royal aspect,and government by the party began to flourish. These innovations, though unsanctioned by the

[18] Hayes, Carlton, *Essays on Nationalism*, p. 114.

British constitution, met alike with the approval of people and party. "The title of the new dynasty was parliamentary in its essence as well as in its basis, and therefore implied the assurance of a rule which, if only for the sake of the rulers, might be, whatever their own traditions, depended on to respect the principles and the practice of parliamentary government." [19]

When George the First died, his only son by Sophia Dorothea, then forty-four years of age, succeeded to the throne as George the Second. Like his father and predecessor, the new monarch was a product of German culture. He knew English, indeed, but spoke it with a marked German accent. In home affairs he took little interest.[20] It appears that Hanover occupied the first place in his mind, the empire the second, and England the third.[21] Thus the method of running the government inaugurated during his father's kingship was being steadily reinforced during his own. Owing to his skill in managing parliament, Sir Robert Walpole, Prime Minister under George the First, was retained by George the Second. This meant the accentuation of Whig control. In 1733, Walpole brought forward his celebrated excise scheme. However, opposition to that measure was so strong, both in and out of parliament, that the plan was withdrawn.

The reign of George the Second was not one that could correctly be described by the term peaceful. Dissatisfaction and discontent stalked throughout the land. Finally in May, 1756, the kingdom found itself at war with France. From the ferment that ensued, one of England's greatest Whig statesman, William Pitt, reached the zenith of his political career. On October 20, 1760, George the Second passed away leaving behind him the

[19] *Cambridge Modern History*, VI, p. 20.
[20] Ransome, Cyril, *History of England*, p. 757.
[21] *Dictionary of National Biography*, XXI, p. 170.

very settled understanding that, "the monarchy was one of the least of the forces by which the policy of the country was directed."[22] This was the position of royal authority when a young man of twenty-two, the grandson of George the Second, was crowned George the Third, King of England. Unlike his predecessors, he was a native of England, versed in her politics, and thoroughly understood her legislation. Thus favorably equipped, the youthful monarch was not satisfied with reigning as were his antecedents: he desired to rule. Doubtless this aspiration was instilled into him by his mother, the Princess of Wales, and carefully nurtured by his self-centered tutor, Lord Bute, the mother's favorite. In order to accomplish this design, the king, soon after his coronation, made Bute a kind of middleman between himself and his ministers. Much still remained to be done by the young but artful ruler. There was Pitt, the recognized leader of the people, a statesman incomparable. Universally conceded to be incorruptible; a patron of justice, as well as an unconquerable enemy of dishonest politics. Graciously to remove him from office without creating comment would test the ingenuity of even a veteran poltical strategist. The removal of Pitt meant the complete overthrow of Whig rule, the most formidable of the obstacles that lay in the path of the king's attempt to restore the crown to that exalted position which would have been George the First's had he known the English language and understood British politics. By a discerning use of patronage among his friends, the king succeeded in breaking the Whig power in parliament. He next turned his attention and efforts to forcing Pitt out of the limelight into which his capable management of the Seven Years' War had thrown him. That statesman was now efficiently managing the war against France, which gained for him measureless popularity.

[22] *Encyclopedia Britannica*, XI, p. 739.

Directly to remove him from his high office at so critical a moment would have been hazardous. Realizing this, the king began his ignoble work by insinuating that his capable minister was, in reality a failure. In a speech relative to the conduct of the struggle, the king ironically referred to it as a "bloody and expensive war." As was anticipated, and doubtless designed, this remark grievously offended the minister, who vainly endeavored to have it retracted, or at any rate somewhat softened. Moreover, Pitt had gathered sufficient evidence to point to Spain's intrigue with France. Thereupon, he suggested that war be declared on her. This recommendation, however, was ignored. Finally on October 5, 1761, the greatest statesman of the eighteenth century, and the greatest minister in all England's history, left the cabinet in disgust and in temporary disgrace. Thus George the Third was successful in removing another obstacle to his being in reality a king. However, "Pitt's policy of instant attack had been justified by a Spanish declaration of war three weeks after his fall; and the year 1762 saw triumphs which vindicated his confidence in the issue of the new struggle." [23] Of Pitt it has been written that, "In the constitutional history of England this important fact is to be observed, that the first great statesman raised to power by the will of the people laid down his office voluntarily, not only because his colleagues did not agree with him in his policy, but also because government by the will of the people, which had been extorted from the monarchy in the last years of George II, was no longer possible under his successor." [24] "The Great Commoner," wrote Macaulay, "was the first Englishman of his time, and he made England the first country in the world." [25] With Pitt removed, Lord Bute easily promoted the king's attempts at personal government, which

[23] Green, J. R., *op. cit.*, V, p. 273.
[24] *Cambridge Modern History*, VI, p. 420.
[25] *Essays*, II, p. 82.

were those of a dilettante in politics rather than those of a sagacious statesman. Continued success is the exception, not the rule of human endeavor. Hence we now turn to observe a failure in the king's attempt to rule.

In order to understand that the rights of Englishmen were being silently invaded by King George the Third and his supporters one needs but familiarize himself with the treatment accorded to John Wilkes. By launching a severe attack upon the administration of Lord Bute and characterizing it as both deficient and odiously unconstitutional, Wilkes attempted to bring the government directly before the bar of public opinion. The attack, which appeared in a pamphlet in March, 1762, agitated the public and somewhat impaired the popularity of the government. For this political offense a general warrant was issued, Wilkes's papers were seized, and himself committed a prisoner to the Tower. During the interim that separated the arrest from the trial, Wilkes while at liberty further incurred the enmity of the king and his friends by publishing in the *North Briton,* No. 45, the vehicle of his political lucubrations, and for his "Essay on Woman," which had been stolen from him by one Curry employed in printing it at his private press. The theft was instigated by Philip Carteret Webb, the solicitor to the treasury. Expelled from the House of Commons on account of his publications, Wilkes fled to France, where he remained some years. In his absence the court of King's Bench found him guilty of libellous publications. Not being on hand to receive the judgment of the court he was declared outlawed.

John Wilkes was particularly obnoxious to the king, and the king's friends were powerful. They aimed at destroying their critic. But Wilkes was not alone. The people at large realized that his struggle was theirs. Hence they rallied to his support. They organized a society known as the "Supporters of the Bill of Rights," which canonized him as a patriot. During the absence

of their champion they wore his image on the lapels of their coats. His picture was found upon placards that adorned shop windows; it ornamented banners that dangled from the tops of alehouses.

Prior to the dissolution of Parliament in 1768, Wilkes returned to England. Thereupon he was elected a member of parliament for the county of Middlesex. Commenting on this event Benjamin Franklin wrote from England, "London was illuminated two nights running at the command of the mob for the success of Wilkes, in the Middlesex election."[26] In the meantime Wilkes surrendered himself to the courts, and had the verdict of outlawry reversed. He was not, however, so successful in regard to his fine and his sentence.

On May 10, 1768 a large gathering of people had assembled opposite the King's Bench prison expecting that Wilkes would be liberated in order to take his seat in a session of parliament to which he had been duly elected. Not altogether without provocation the soldiers began an indiscriminate firing into the crowd. When the smoke had cleared away, it was found that many citizens were wounded and that fourteen were killed. Among those mortally wounded was a young man named Allen, who lived in the neighborhood, but had taken no part in the assembly. In the act of imploring mercy of the soldiers, he was pitilessly shot. The news of this outrage was soon carried to the king. Thereupon, through the secretary at war, he sent a message of congratulation to the commanding officers of the troop. Four days after this event Franklin wrote to a friend in America that "all respect to law and government seems to be lost among the common people, who are moreover continually inflamed by seditious scribblers, to trample on authority and every thing that used to keep them in order."[27]

[26] Smyth, A. H., *op. cit.*, V, p. 121.
[27] *Ibid.*, V, p. 134.

Upon his liberation from prison, Wilkes returned to parliament, but the members of the house refused to admit him. Three subsequent elections, in which dishonest tactics were resorted to in order to defeat him, resulted in victory for the idol of the people. But the house of commons still refused to admit him. The seat for Middlesex was given to Colonel Luttrell, his defeated opponent. This incident drew satiric comment from the facile pen of *Junius,* who foretold the division of the empire. Commenting upon this treatment of Wilkes, Edmund Burke in his, "Thoughts on the Cause of the Present Discontent," says, "I will not believe, what no other man living believes, that Mr. Wilkes was punished for the indecency of his publications, or the impiety of his ransacked closet. If he had fallen in a common slaughter of libellers and blasphemers, I could well believe that nothing more was meant than was pretended. But when I see, that, for years together, full as impious, and perhaps more dangerous writings to religion, and virtue, and order, have not been punished, nor their authors discountenanced; that the most audacious libels on the royal majesty have passed without notice; that the most treasonable invectives against the law, liberties, and constitution of the country, have not met with the slightest animadversion; I must consider this as a shocking and shameful pretence. Never did an envenomed scurrility against everything sacred and civil, public and private, rage through the kingdom with such a furious and unbridled license. All this while the peace of the nation must be shaken, to ruin one libeller, and to tear from the populace a single favorite."[28]

Wilkes was persecuted not for his libellous writings, but for having defended the rights of his countrymen against the encroachments of the court. Behind all this lay the aspirations of George to reign and to rule. The

[28] *Works,* I, pp. 500-1.

oppressive measures resorted to by the House of Commons in this case were totally repugnant to the spirit of the constitution. Had the electorate sanctioned its actions, a dangerous precedent would have been established. Freedom of speech would no longer be a right of Englishmen. Parliament would have been changed from a representative body into an assembly that could perpetuate itself by ostracism or by substitution of members. Besides temporarily checking the ambitions of King George the Third, Wilkes was the chief instrument in effecting three very important advances which the constitution of England had made. "He woke the nation to a sense of the need for parliamentary reform by his defense of the rights of constituencies against the despotism of the house of commons. He took the lead in a struggle which put an end to the secrecy of parliamentary proceedings. He was the first to establish the right of the press to discuss public affairs."[29] It is patent that the political and social disturbances then agitating the minds of Englishmen were nothing more than the symptoms of the eternal malady, the struggle for power between the ruling classes and the ruled, our principal theme.

The reverse which the king met with in the Wilkes case did not deter him from his settled design to rule. His ambitions were achieved in 1770, when with the aid of his mercenary friends, Lord North became Prime Minister. But before twenty years of his reign elapsed the artful king had forced the American colonies into revolt and independence. It is to this epoch-making event that we now turn our attention.

Another votary of justice and of liberty was Sir Isaac Barré a soldier and statesman of Irish birth. On terminating his education at Trinity College, Dublin, he entered the British army in 1759, and saw service with

[29] Green, J. R., *op. cit.*, V, p. 279.

General Wolfe at the capture of Quebec. In the course of this military engagement, he received a facial wound, the scar of which he carried to his grave. He entered parliament in 1761, and espoused the cause of Lord Shelburne. This espousal was characterized by a virulent attack on William Pitt. Ultimately he not only ceased this opposition, but became a devoted admirer of England's premier statesman. While espousing the American cause, he vehemently displayed his mastery of invective. In one of his penetrating speeches, he referred to the colonists as "Sons of Liberty." This name quickly became popular; for it was later applied to all the colonists who defended their rights against the king and the parliament. Like Pitt and Burke, he defiantly opposed the Stamp Act as unconstitutional, and a violation of the rights of the colonists. As a mark of appreciation for his disinterested devotion to the plight of the colonists, a town in the present state of Vermont was, in 1793, named after him. To this day it continues to bear his name, Barré. The people of Pennsylvania too gave his name, coupled with that of John Wilkes, to one of their thriving towns, Wilkesbarre. The colonists well knew who were the champions of the people.

CHAPTER II.

Colonial Oppression, 1651-1767.

The first colonial settlements being regarded as the property of the king were, therefore, subject to his dominion. He could grant charters of colonization, alter them or revoke them at pleasure. Consequently the colonists were politically dependent upon the Crown alone. This is evident from not only the language of the various charters, but from the fact that King James I in 1624 amended the charter of Virginia. Charles II, in 1684 revoked that of Massachusetts.

Intimidated by the mercantile class of England, Parliament between 1651 and 1770 enacted a series of Navigation laws for the purposes of regulating trade between the mother country and her colonies. As these laws were deemed necessary, the colonists acquiesced in them. It is difficult to view these measures in any other light than as an encroachment on prerogative by the parliamentary body. They brought no financial gain to the British Exchequer, for the obvious reason that rigid enforcement of them was too expensive.

By the Navigation Act of 1660 the carrying trade was confined to English or to colonial ships. This excluded competition from foreign quarters. That this law was primarily aimed at the Dutch is beyond question, because these people were at that time the principal carriers for Europe. The colonists likewise felt the pinch of this piece of legislation for by it their competition with the Dutch had been destroyed. "Far more serious," writes Mellen Chamberlain, "was the provision which restricted them from carrying sugar, tobacco, cotton, wool, indigo, ginger, fustic and all other dyeing wood, the product of any English colony, to any part of the world, except

Great Britain, or some other English colony."[1] These enumerated articles were produced chiefly in the Southern colonies and in the West Indies. Consequently those places more acutely felt the weight of the Act of 1660, because by it they were compelled to unload their produce in the English or in the colonial markets. These, however, were not infrequently glutted. Translated into terms of money this meant that the producers received a lower price for their commodity than that which obtained in non-English markets. Fortunately New England escaped the hardship of this regulation for the simple reason that none of the listed articles were raised in her territory. New England was permitted to sell her products wherever there was a market for them. But she was forced to use English or colonial ships for transporting the goods sold.

The year 1663 saw more stringent laws enacted for the regulation of trade. By these enactments the colonial merchant was coërced into buying his consumption goods in but one market. That market was England. Further, English built ships were designated as the carriers of all European products destined for colonial consumption. This piece of selfish legislation dealt a severe blow to shipbuilding in America.

A rugged, vigorous, and profitable colonial coastal trade had developed among the American colonists much to the chagrin of English merchants. In a vain effort to check this traffic a law was passed in 1672 providing that American shippers should first send their goods to England, whence they would be re-shipped to the consignee. This, of course, meant that a Boston merchant selling goods to a dealer in Philadelphia was to ship his merchandise to Philadelphia *via* England. This procedure devoured time. That it was economically

[1] Winsor, *Narrative and Critical History*, VI, p. 7.

unsound is self-evident. "Whatever might be said in favor of the Navigation Acts," Egerton observes, "there was always the damning fact that they had been enacted by a legislature in which the colonists had no voice or part."[2] Though Egerton is correct in emphasizing this point it must not be overlooked that "The right of the mother country to regulate trade was not questioned, but was looked upon as an equitable corollary to the protection which she afforded."[3] Events subsequent to 1760 clearly and unmistakably indicate that Mellen Chamberlain was nearer the truth when he wrote, " . . . the best grounds for nominal submission to the Navigation laws and acts of trade was found in their easy evasion, and in the fact that they never were, and never could have been rigidly, enforced. From the first, all attempts to enforce them led to dissatisfaction."[4] It is a matter of record that smuggling flourished all along the coast of England itself, despite the fact that all the terrors of sanguinary laws were not sufficient to deter mariners from this lucrative occupation.[5] Since smuggling, even in the shadow of the Court of St. James, was regarded as a safe and profitable avocation, it is not astonishing nor alarming that the same illegal traffic flourished along the entire coast of America especially when aided by the connivance of corrupt officials.

With William Pitt removed from the public eye, and the power of the Whigs in a precarious condition, if not totally impaired, George the Third succeeded in making his contact-man, Lord Bute, the first minister of the empire. Acting as the agent of the King, Bute, through the Duke of Bedford, negotiated the terms of peace which concluded the war against France. With the termina-

[2] *Causes and Character of the American Revolution,* p. 68.

[3] Beer, G. L., *The Colonial Policy of Great Britain,* I, p. 180; also cf. Adams, J., *op. cit.,* IV, pp. 38-39.

[4] Winsor, *op. cit.,* VI, p. 10.

[5] Adams, J., *op. cit.,* IV, p. 40.

tion of hostilities, the King found himself in full control of the government, besides there was a coterie of friends eager to answer his every beck and call.

However humiliated France must have felt, England realized that the reduction of the French power was not without its disadvantages. For the national debt had reached the enormous figure of one hundred forty million pounds. A very small part of this burden had been incurred in the defense of the American colonies. Hence Englishmen generally, Lord Bute and the King in particular, felt that America should bear her share of this debt. The process of acquiring this desired revenue from the American colonists evolved itself into two forms, namely, regulation of colonial trade and taxation. In order to carry out this policy Charles Townshend, an intimate of Lord Bute, was appointed to the presidency of the Board of Trade. Shortly thereafter, "The new minister declared himself resolved on a rigorous execution of the navigation laws, laws by which a monopoly of American trade was secured to the mother-country; on the raising of a revenue within the colonies for the discharge of the debt; and, above all, on impressing upon the colonists a sense of their dependence upon Britain."[6]

George Grenville, another friend of Lord Bute, was head of the admiralty board. Together Grenville and Townshend, in 1763, began their work which according to well ordered plans would make George the Third actual ruler of the vast British Empire. "The year 1763," writes Chamberlain, "is usually regarded as the beginning of the American Revolution, because in that year the English ministry determined to raise a revenue from the colonies."[7] Behind these ministerial measures stood the dictator, King George the Third.

Under the guise of readjusting the irregular economic

[6] Green, J. R., *op. cit.*, V, p. 276.

[7] Winsor, *op. cit.*, VI, p. 15.

relations with the colonies, the Board of Trade issued orders for the rigid enforcement, with the aid of Writs of Assistance, of the Navigation Laws. Simultaneously changes in the constitutions of the colonies, together with the introduction of an episcopal hierarchy were planned. Upon this program of British activities colonial orators and writers never ceased to pour their wrath.

Efficiently to enforce the Navigation Laws all marine officers were compelled, in conjunction with their ordinary duties, to act as custom-house inspectors. Thus commanders of armed cutters stationed on the coast of England, as well as officers on ships sent to America were ordered to perform the odious duties of revenue agents. These men took the usual custom-house oath to enforce the custom-house laws. A marked decline in smuggling was soon noted as a result of the energetic spirit of the new army of revenue officers. Enthusiasm frequently carried them beyond the civil and legal bounds of moderation much to the scorn and contempt of the colonists. Many seizures were inhumanly and illegally made. The lack of tact of those custodians of the law tended greatly to solidify colonial opposition to the new code of British officiousness. Indeed, redress for injury to person or property could be obtained, but it was only through a tedious and difficult appeal to England. Thus the evil was aggravated by the tardiness of the remedy. "It may fairly be accounted one of the greatest blessings Great Britain has had for a long time past to boast of, that the trade of her colonies, as far as it depended upon these new-fangled custom-house officers, was not, in the meantime, totally annihilated."[8]

For many years illicit trade had been carried on between the British and the Spanish colonies much to the benefit and advantage of the former. The English government was thoroughly conversant with this situation.

[8] *Annual Register*, 1765, VIII, p. 19.

It was connived at chiefly for the reason that it ultimately redounded to the prosperity of Englishmen. However, under the regulations of 1764 seizures made by armed vessels amazingly curbed but could not wholly destroy this illegal traffic.

In the same manner England, prior to 1764, closed her eyes and smiled upon the smuggling trade that was carried on between her North American colonies and the French West Indies. It is true that laws regulating trade were on the statute books. All realized this. No one, however, was made seriously to feel the weight of them for the apparent reason that no pressure had been applied in their enforcement. The failure to apply the necessary pressure was owing to the fact that the balance of this trade was always in the favor of the American colonists. Thus English manufacturers were always certain of a market for their produce with the double assurance of a prompt return in specie arising from this favorable balance which accrued to the colonists from their smuggling. Naturally this situation greatly added to the common circulation of cash in Great Britain. In view of these facts, non-interference with the smuggling traffic before 1764 is readily understandable. With George the Third resolved to rule all that he surveyed conditions inevitably changed.

On March 10, 1764, a law laying heavy duties on articles imported into the colonies from the French and other islands in the West Indies was passed in the House of Commons. The duties collected in pursuance of this enactment were to be paid into the Exchequer of Great Britain. Much concern was felt and unlimited complaint was registered, in America, against this new measure. The reasons are obvious. The rigid enforcement of the law against smuggling cut off the colonial source of specie. And now this law compelling the colonists to pay in hard money for importations from the French West Indies would soon drain the colonies of all avail-

able specie. Added irritation was experienced when at the same session of parliament a law was made restraining the currency of paper money in the colonies. Distasteful as these measures were to the colonists, the King saw fit to thank the members of the House of Commons for their "Wise regulations which had been established to augment the public revenues, to unite the interests of the most distant possessions of his crown, and to encourage and secure their commerce with Great Britain."[9]

Simultaneously the House of Commons, on March 10, 1764, went on record as being in favor of levying stamp duties in the colonies and in the plantations. Though actual enactment into law was postponed, that purpose of the parliament was no idle gesture as subsequent proceedings were destined to show. This new proposal of laying an internal tax caused great alarm in the colonies. The assemblies of New York and Massachusetts Bay petitioned the House of Commons against such a measure. These petitions were turned over to the Board of Trade. On the eleventh of December, 1764, they were laid before the Privy Council. Though advised by that body to lay them before parliament, the King refused. The quick reaction of Massachusetts and New York to this new policy of internal taxation was in perfect harmony with the times. Two years before the actual passage of the ill-timed Stamp Act, American political literature manifested, "a peculiar alertness of political suspicion which had been awakened among them."[10] In suppressing the petitions the King acted unwisely; still it was in perfect accord with his ambition to rule. This method of dealing with a delicate situation proved his incapacity; and tremendously increased colonial suspicion already engendered by the ruthless enforcement of the custom laws.

[9] Almon, J., *Prior Documents*, p. 5.

[10] Tyler, M. C., *Literary History of the American Revolution*, I, p. 92.

"The sourness and discontents occasioned by these measures were great and general throughout the American colonies. Associations were entered into to promote their own manufactures of every description."[11] The antagonistic response of the colonists toward those measures and proposals taught the ministry nothing; for the threatened Stamp Act, a notorious source of trouble, was, in March, 1765, enacted into law.

The opposition presented to the principle of internal taxation was in no sense peculiar to the American character. In England, in 1763, the ministry attempted to levy an excise of four shillings on a hogshead of cider. This is known in history as the Cider Tax. The opponents saw in this act of national economy a new and unconstitutional principle. Turbulent and violent was the clamor in England, where the tax was to be applied. Various reasons were advanced for opposing it. Decried as partial and oppressive; the people condemned it as a measure inconsistent with the principles of liberty which distinguish the English nation from arbitrary government. Though the tax was not burdensome to the people of the cider counties, the constituency suspected both the measure and the system it concealed. Homes or dwellings of suspected evaders of the cider tax could be entered and searched at the pleasure or caprice of those entrusted with the enforcement of the law. In substance this was a mantle of slavery. Throughout the realm the bill was severely criticised and violently opposed. In London the opposition reached fever heat. "No political project since the year 1733, not excepting even the Jew bill, ever threw the nation into so high a ferment."[12] Three years and one month after its enactment into law, the cider tax was repealed.

Before the passage of the Stamp Act, Britain made

[11] Anson, Sir William R., *Memoirs, Third Duke of Grafton*, p. 29.
[12] *Annual Register*, 1763, VI, p. 36.

little pretense at raising a revenue in America. Previous measures passed by parliament the colonists viewed only as regulating trade. These, however, were recklessly violated. The right to regulate trade, which in the final analysis afforded a quasi protection to the colonists, was willingly conceded to the governing body in England. Different was their attitude toward the Stamp Act, and its mechanism for enforcement.

The National debt of England, before the War with France, was close to one hundred million dollars. Of this amount no part was contracted for the defense of the colonies in America.[13] Why then should the colonists be taxed to defray the debt? This was the colonial frame of mind that questioned the validity of the Stamp Act.

As before stated, smuggling was to some extent suppressed, and colonial trade confined to Great Britain. This meant that the colonies were forced to sell their commodities to England at a designated price, which usually was lower than what obtained in non-English markets. On the other hand, they were compelled to purchase commodities from Great Britain at a price higher than that which prevailed in other European countries. This in character was a tax of which the colonists did not complain. In reality the three million persons living in America were by this system contributing more revenue to England than a similar number residing in the mother country.

It was not the inability of the colonists to pay the Stamp tax that engendered opposition to it. Like the opponents of the Cider Tax, they were against the principle of internal taxation. To their way of thinking and acting the authority of parliament was confined to the regulation of trade. They absolutely refused to recognize the extension of this authority to internal legislation, because the colonies had their own legislative

[13] Smyth, A. H., *op. cit.*, V, p. 167.

assemblies. In a newspaper reply to Massachusettensis, John Adams writing under the *nom de plume* "Novangulus," said, "We had considered ourselves as connected with Great Britain, but we never thought parliament the supreme legislature over us. We never generally supposed it to have any authority over us, but from necessity, and that necessity we thought confined to the regulation of trade, and to such matters as concerned all the colonies together. We never allowed them any authority in our internal concerns."[14] Facts bear out the truth of this assertion. The Hatter's Act was disregarded by the colonists. An act to destroy the Land Bank scheme met with as much opposition in those quarters affected as did the Stamp Act. And the act against the tilt-hammers and slitting-mills was never executed. The postage regulation, though beneficial to the colonists, was looked upon as an usurpation.

The Stamp Act, a measure charged with incalculable mischief, was finally passed by parliament on March 22d, 1765. Its object was to defray the expense of maintaining a force of ten thousand British soldiers in America. The method of collecting the tax was simple. All business documents, deeds, leases, drafts, receipts, bills of exchange, promissory notes, *etc.* in order to be valid before the law were to have certain stamps attached to them. These stamps were to be purchased from government officials delegated to sell them. The money arising from the sale of the stamps constituted the tax. This means of raising a revenue previously had been rejected as impracticable by both Pitt and Walpole. However, George Grenville, the new prime minister, and a trained parliamentarian, was the author and champion of this obnoxious piece of legislation. Without as much comment as would be aroused by an appropriation for the repair of a country turnpike, parliament passed the

[14] Adams, J., *op. cit.*, IV, p. 49.

act by a vote of 294 to 49. At that time King George was suffering from his first attack of lunacy, and thus with mind beclouded his sign manual was affixed to the bill and it became law.

The new law was carefully designed to offset or overcome colonial resistance to taxation. It did not compel one to surrender his money directly to the government. But it provided that for the validity of legal business stamps must be upon those legal instruments. This provision seriously affected business in general, because the colonists were determined not to buy the stamps for the simple reason it would have been an acknowledgment on their part that parliament had a right to tax them. Relative to the business depression that followed, John Adams recorded in his *Diary*, "This long interval of indolence and idleness will make a large chasm in my affairs, if it should not reduce me to distress, and incapacitate me to answer the demands upon me."[15] England had a right to tax the colonies, but the exercise of that right was not good policy to be pursued in 1765.[16] On the other hand, every colonial assembly expressed, by resolution, the sentiment that parliament had no right to tax them.[17] Because it was supposed, "an undoubted right of Englishmen, not to be taxed but by their own consent given through their representatives."[18] The Stamp Act, "is now recognized by English historians as having been the most important and far-reaching in its results of any that was ever passed by Parliament, excited far less interest in England than the controversy between John Wilkes and the Court, which was then at its height."[19] The colonists considered their plight a parallel to that of Wilkes. They regarded the designs

[15] Adams, J., *op. cit.*, II, p. 155.
[16] Burke, E., *Works*, I, p. 396.
[17] Adams, J., *op. cit.*, IV, p. 34.
[18] Smyth, A. H., *op. cit.*, III, p. 233; cf. Adams, S., *Writings*, I, p. 44.
[19] Stillé, C. J., *Dickinson's Life and Times*, pp. 70-71.

of the king to rule as an abridgment of their own liberties. This appears to be the case when it is recalled that the new program of the ministers called for the establishment of a colonial Executive under the absolute control of the crown.[20] Further, the colonists were exposed to be prosecuted at the option of an informer in a court of admiralty without a jury.[21] Evidently the destruction of colonial liberty was aimed at. This was the attitude then taken.

The new system of taxing the colonies was not to go into effect till the following November. During the intervening months, writers and orators, the pulpit and the press vehemently condemned the ministerial policy. Governor Bernard realized the impossibility of carrying into execution the new Stamp Act because the colonial governments were helpless in the face of the opposition. "To introduce Parliamentary Taxation into America," he wrote, "before the establishment of a Power sufficient to enforce Obedience to them is in my Opinion beginning at the wrong End." [22]

On October first, 1765 committees of the assemblies met in New York for the purpose of devising ways and means of handling the affair. That gathering was really the first congress held on the American continent. From it emanated fourteen resolutions dealing with recent events that displeased the colonists. It went on record as being uncompromisingly opposed to taxation by the parliament of Great Britain. Three addresses were drawn up and sent respectively to the king, lords, and commons. Though varying in tone and in elegance of expression, the addresses were strikingly identical in content. The grievances complained of centered around the late acts of parliament; namely, the right of trial by jury: the right to levy their own taxes: the extension of the juris-

[20] Adams, S., *op. cit.*, III, p. 32.

[21] Adams, J., *op. cit.*, III, pp. 465 ff.

[22] Bernard, Sir Francis, *op. cit.*, IV, p. 12.

diction and powers of the court of admiralty beyond their limits in Great Britain. This was deemed an "unnecessary and unhappy" distinction between the subjects in America and those in England. It was further asserted that owing to the peculiar circumstances in America the recent restrictions in trade would cause distress in the colonies and prove harmful to the true interests of Great Britain.[23] These petitions were instrumental in effecting the repeal of that "Mother of mischief" the Stamp Act. However, more distinctly to assert the dependence of America on Great Britain a law was passed asserting that, "the Parliament of Great Britain had a right to bind the Colonies in all Cases whatsoever."[24] This is known as the Declaratory Bill and soon proved a source of dissatisfaction because it still reiterated the principle of internal taxation. However, "the repeal of the Stamp Act could not have been carried, unless accompanied by the Declaratory Bill; so great was still the desire, both within and without doors, of drawing a revenue from America."[25]

The furor, in America, excited by the Stamp Act subsided upon its repeal. The Declaratory Bill was inopportune and unprofitable. Violent disputes seemed to cease, until the session of Parliament, 1766-67, reopened the issue by enacting a measure for the indemnification of those who suffered in person or property when they took sides with parliament on taxing America. An account of the riotous activities that took place in the various colonies and especially in Boston on the attempt to enforce the Stamp Act are too well known to be described here. The act, however, which gave the greater offense was the attempt to compel the Americans to quarter British soldiers. In that measure the teeth of the

[23] Almon, J., *op. cit.*, pp. 28-34.
[24] Almon, J., *op. cit.*, p. 64.
[25] Anson, Sir William R., *op. cit.*, p. 60.

Declaratory Act were visible; for Parliament was exercising its right to tax the colonists without their consent. It was questionable whether or no the colonists would have submitted to this distasteful law. However, it was soon placed beyond doubt by the overeagerness of Mr. Charles Townshend.

In July, 1766, the Rockingham ministry, which had repealed the Stamp Act, collapsed. William Pitt, England's greatest statesman, and the loyal friend of Americans, formed a new cabinet, giving to Charles Townshend the office of minister of finance. From May, 1767 to October, 1768, Pitt was so incapacitated by the gout that he withdrew from public life, and retired to Bath. So rigid was his seclusion that he denied hospitality to all visitors, not excepting even the king. During this period of sequestration, the duties of prime minister fell upon the shoulders of the witty chancellor of the exchequer. The events that followed were calamitous. The cabinet was divided; the parliament unruly. In this political maelstrom, the policies of Pitt were swept away to make room for those of Townshend, which resulted in America being taxed anew.

"The American colonists had in 1766, drawn a distinction between duties on imports and direct taxes such as Grenville had imposed. The distinction was one well known in our own Constitutional History. But Townshend had treated the matter in a tone calculated to irritate and alarm."[26] Accordingly in the spring of 1767, Chatham's Chancellor of the Exechequer, with the concurrence of parliament succeeded in imposing port duties on a variety of articles.

[26] Anson, Sir William R., *op. cit.*, p. 127, note.

CHAPTER III.

Law Enforcement, 1768-1775.

The articles taxed by the Townshend Act were glass, lead, paints, paper and tea. None of these necessities were or could be produced in the colonies. Consequently one of two alternatives faced the people, either they must pay the tax levied upon these commodities or else refrain from purchasing them. The former method involved a principle, the latter an inconvenience. In order to obviate a repetition of the scenes concomitant with the Stamp Act of 1765, and to lend strength to the new law, fresh bodies of troops, and a special board of commissioners were detailed to superintend the new custom-house arrangement. The appointment of those officials in conjunction with their methods of enforcing the late regulations greatly exasperated the colonists.

In these precautionary measures can be seen the directing hand of Governor Bernard,[1] who felt that the Stamp Act failed simply because there was not sufficient troops in America to compel obedience to it.[2] Furthermore, the public feeling and the insubordination manifested in the various legislative assemblies warranted this procedure. The new system instead of intimidating and discouraging the colonists served only to excite in them a greater spirit of resistance. The public meetings and the legislative conventions were scenes of heated discussion. From these gatherings came the determination not to consume any of the five articles that bore the tax. Vehement criticism of the recent laws soon grew to active resistance. In the summer of 1768, at which time the new commissioners of customs seized, for fraudulent entry, the *Liberty*, a sloop belonging to John Hancock, a promi-

[1] Cf. *Official Papers*, IV, p. 105. [2] *Ibidem.*, IV, p. 12.

nent merchant of Boston. Colonial temper ran high at this alleged infringement upon American liberty and retaliation was the response. In the bewildering riot that followed upon the heels of that event the houses of the controller and of an inspector of the customs were wantonly damaged. Alarmed at the magnitude and the feverishness of the popular wrath the custom house officers and their immediate connections took refuge on the British man-o-war, the *Romney*, and were conveyed for safety to Castle William, in Boston Harbor. The following description of the state of affairs that then prevailed is from the pen of a sister of one of the commissioners of custom. It was written at Castle William, where the British agents and their families found safety from the rancor and hostility of the infuriated Bostonians. "From the inherent Republican, & levelling principles," writes Miss Hulton, "heres no subordination in the Society. Government is extirpated, & it is quite a State of Anarchy. There are some sensible & good people that are greatly alarmed at their impend^{g} fate, . . . The infant Colonies have been advanced toward a State of Independancy. Many things have concurr^{d} to bring on the Crisis sooner than expected. The Sedition has been falsely represent^{d} at home as a dying Faction—but the defection is too general most of the other Provinces are only waiting to see the event of this effort in Boston. The poison of disaffection has been infused & spread by inflammatory writers over the Continent. L^{d} Camden & L^{d} Chatham's Speechs on the Repeal of the Stamp Act, has open'd to them a new view of their priviledges, & I dare say they are enroll^{d} in their Records, as sacred as their Charters, from this Authority, the Authority & power of the British Parliam^{t} to tax them is openly denied. To this purpose the Assembly here sent a Petition to His Majesty w^{ch} it was tho^{t} proper at home not to present."[3]

[3] Hulton, Ann, *Letters of a Loyalist Lady*, pp. 12-13.

After the officials had fled, the citizens took the collector's boat and burned it to ashes. The lawlessness of the people was publicly condemned by the town authorities. The perpetrators though known were never molested for their crime. The outrageous treatment administered to the custom officials for having performed their duty indicates the colonial temper and the force of its opposition to the new regulations. On the other hand, the home authorities were incensed at hearing of the recent and violent outbursts in the colonies. This news served to aggravate the already rapidly mounting displeasure created by the circular letter sent out by the legislature of Massachusetts to the other colonial assemblies. Independence was alluded to in that bold instrument of communication. Impelled by the home government the governor of Massachusetts demanded that the assembly rescind the circular letter. Refusing to comply with the request of the chief executive, the assembly was forthwith dissolved. In response to this gubernatorial act of despotism, the governor was roundly denounced by the assembly as an enemy and traitor to his country, America.

At the suggestion of the commissioners of customs, additional regiments were sent to Boston.[4] From their first landing the demeanor of the soldiers was insolent to a marked degree. They acted as if they were in a country inhabited by rebels whom they came to subdue.[5] "The loathing and disgust manifested by the inhabitants of (*Boston*) at the first appearance of the troops, was succeeded by the bitterest rancor and indignation daily festering to a head, by continual incidents of casual collision between the people and the soldiers."[6] This was owing to the fact that the colonists viewed the establish-

[4] Howard, G. E., *Preliminaries of the Revolution*, p. 195.
[5] Adams, S., *op. cit.*, II, p. 92.
[6] Adams, J., *op. cit.*, I, p. 87.

ment of a military force in America as entirely needless for their protection and dangerous to "Virtue and Liberty." The maintenance of the soldiers was deemed an act of taxation just as much as was the Stamp Act of George Grenville.[7]

That the people of Boston were oppressed with an indescribable dread and fear of the British soldiery may be gleaned from the following incident. "In the spring of 1769, an unusual number of British troops were stationed in Boston. The main guard, "unlucky," as Hutchinson expressed it, and "without any design to give offense, had been stationed in a house which was before unoccupied, opposite to the door of the court house; and, as is usual, some small field pieces were placed before the door of the guard-house, and thus happpened to point to the door of the court house."[9] The placement of British soldiers opposite the court house was interpreted as an ill-omen by the Bostonians. They saw in this incident an attempt to over-awe the legislature, which was about to assemble. At the town meeting that year (1769), instructions were drawn up and given to the representatives of Boston urging them to have "a removal of those cannon and guards, as well as that clamorous parade which has been daily around the court house since the arrival of his majesty's troops, and at some times while the highest court of judicature has been sitting there, on the trial even of capital causes."[10]

On the night of March 5, 1770, the mutual antipathies of the people and the soldiers found expression in a verbal clash that was decided by bullets. The death of four or five persons, according to some writers, the most

[7] Adams, S., *op. cit.*, I, p. 112.
[8] *Ibid.*, I, p. 113.
[9] Hutchinson, Thomas, *op. cit.*, III, p. 231.
[10] Adams, J., *op. cit.*, III, p. 506.

obscure and inconsiderable that could have been found upon the continent, resulted.[11] News of this incident rapidly spread throughout the colonies. Its effect was electric. Though provoked by the colonists themselves, the presence of the Red-coat was interpreted as the penumbra of slavery. The event was designated as the Boston Massacre. Its parallel was the outrage perpetrated upon the defenceless people by the British soldiery on the day that John Wilkes was expected to be liberated from prison to take his seat in the House of Commons. In both instances the people themselves were not wholly without blame. Similar collisions, without the toll of life, were of frequent occurrence between the soldiers and the people, especially in New York. Though many might consider the Boston Massacre a misnomer, and an event of little moment, John Adams regarded the night of March 5th, 1770 as the time at which the foundation of American Independence was laid.[12] The account of the Boston Massacre which appeared in the British newspapers was badly garbled. Captain Preston himself declared, that his own account of the event which he had sent to England had been changed to suit the whims of persons hostile to Boston.[13]

The captain and the soldiers implicated in the Boston Massacre were subsequently brought to trial. John Adams defended Captain Preston and his men. This did not necessarily mean that Adams had suffered a change of heart, nor can it be truthfully said that the mercenary element actuated him in the least. The total fee received for fourteen or fifteen days of exhausting and fatiguing exertion amounted to only nineteen guineas. The court scene was devoid of any eloquent

[11] *Ibid.*, IX, p. 352.
[12] *Ibid.*, VIII, p. 384.
[13] Adams, S., *op. cit.*, II, p. 14.

speech making. In his defense of Captain Preston, Adams simply read to the court passages from law books of indisputable authority. As a result, no points of law were raised.[14] Though a loyal patriot, Adams was of opinion that "Judgment of death against those soldiers would have been as foul a stain upon this country as the executions of the quakers or witches anciently. As the evidence was, the verdict of the jury was exactly right."[15] Captain Preston and his men were acquitted by the jury save two who were convicted of manslaughter and moderately punished.

Though criticized in some quarters for having undertaken the legal defense of the soldiers, the people manifested their confidence in the integrity of Mr. Adams when at the next election the voters, by a large plurality, chose him as representative of Boston over Mr. Ruddock, a popular and wealthy master shipwright.[16]

The refractory and rebellious spirit which the colonists displayed on the occasion of the Boston Massacre and at all attempts to interfere with them, so incensed the ministry that orders were sent forth to the governors of the different colonies to effect a more stringent execution of the recent laws of custom. However, the domineering and haughty manner of the enforcement officials resulted in intermittent outbreaks between the people and the colonial governments.

A serious affair occurred in the spring of 1772. The *Gaspee*, an armed schooner was stationed in Narragansett Bay for the purpose of enforcing the revenue laws. The arbitrary and vexatious manner in which Lieutenant Duddingston, the commander of the vessel, executed the duties of his office greatly annoyed the people. Numerous and urgent complaints of the colonists finally moved

[14] Adams, J., *op. cit.*, II, p. 236.
[15] *Ibid.*, II, p. 317.
[16] *Ibid.*, II, pp. 230-232.

the Governor of Rhode Island to appeal to Duddingston to exercise more prudence in the enforcement of the law to prevent smuggling. The appeal instead of bringing the Lieutenant to a realization of the seriousness of the situation which he was creating by his indiscriminate actions served only to render him more obdurate and resentful. Finally, on June 10, 1772, while striving to overtake the *Hannah* and search her for illegal possession of merchandise, the greatly feared and detested *Gaspee* ran aground. The joyous news soon circulated among the colonists that the *Gaspee* was stranded and in danger. That evening a band of colonists set out to destroy the hapless vessel. In the events that rapidly transpired, Duddingston was wounded, but not mortally, and the *Gaspee* was burned. The Governor of Rhode Island was ordered to search out and punish the perpetrators of that deed. A reward of approximately five hundred dollars was posted, and would have been turned over to any one advancing information that would lead to the arrest of those involved in the burning of the *Gaspee*. The crime remained unpunished; the reward unclaimed. The action of those private individuals in destroying the *Gaspee* caused great and universal excitement in the colonies. When, however, the details relative to the burning of the ill-fated ship reached England, the ministry created a royal commission composed of Americans regarded as friendly to the mother country. This group of investigators was vested with power and authority to send to England for trial those implicated in the *Gaspee* affair. After several months of intermittent and listless inquiry the commission informed the ministry that they were unable to ascertain who the guilty parties were. A corollary to the *Gaspee* debacle, and one which produced more widely extended and more continued excitement was the affair designated as the Boston Tea Party.

In 1770 King George, III, formed a new ministry in

which was found Lord North as chancellor of the exchequer. "Lord North", writes Green, "was a man of some administrative ability, but unconnected with any political party, steadily opposed to any recognition of public opinion, and of an easy and indolent temper which yielded against his better knowledge to the stubborn doggedness of the king."[17] The new chancellor of the exchequer was a pliable instrument in the hands of the designing king, who was himself determined to rule his kingdom. Already through patronage the ambitious monarch controlled majorities in both houses of parliament. The strength of the royal position was soon given a test that shook the kingdom to its very foundation.

The success of the non-importation agreement coupled with resolute colonial resistance to the policy of the mother country, and the frequent disturbances prevalent throughout America were the causes which effected the repeal of the tax on four of the five articles assessed by the Townshend Act. A small tax on tea, however, was retained. The retention of this tax was stigmatized by Lord Rockingham, as an "unconstitutional, unproductive, pepper-corn rent."[18] Tea was a commodity in universal use among the colonists. Hence the retention of the tax upon it can be reduced to two reasons. First. Its sustained the principle that parliament had the authority to levy taxes upon the colonists. King George III had at this time full control of working majorities in both houses of parliament. As previously stated control of parliament had slipped through the fingers of the monarch's grandsire. Submission now on the part of the colonists to the tax on tea would be tantamount to a recognition that George III was not only king but ruler. Secondly, the East India Tea Company, so long as its dividends remained at twelve *per cent.*, was by contract

[17] Green, J. R., *op. cit.*, V, p. 317.

[18] Thomas, G., *Memoirs of Marquis of Rockingham*, II, p. 238.

bound to pay annually four-thousand pounds sterling to the chancellor of the exchequer. Of this the colonists were aware. Doubtless this was an incentive for the retention of the tax on tea, but it appears not to have been more important than the design of the king to assert his dominion over the colonies.

Enraged at the perfidy of the king in retaining the tax on tea, the colonists resolved not to consume any of the desirable article. The American merchants, excepting a few Tories, refused to import the tax-bearing tea. As a result of this refusal the market for tea in America was almost entirely cut off. The East India Company regarded this condition as temporary and continued to import tea from China until their vast warehouses in London contained enormous quantities. Under these adverse circumstances the East India Company found themselves greatly straightened and distressed. The ministry in a futile attempt to ameliorate conditions evolved an ingenious scheme for surmounting the business difficulty of the company. Heretofore, tea exported from England carried a large duty, which ultimately was paid by the consumer. The new scheme provided for the temporary remission of this export duty while the American tax was retained. Under this provision the American consumers could buy their tea at a lower price than formerly even though they paid the small tax on tea. This was designed to disarm colonial opposition to the tax, and at the same time serve as an inducement to the East India Company to send their product to America. In pursuance of this policy the company immediately shipped large quantities of tea to different ports in America. That the colonists were alert to the scheme, and were resolved not to be inveigled into paying the odious tax was evident from their determination peacefully if possible, if not by force, to keep the tea from landing.

The consignees at New York, and at Philadelphia resigned, and the tea was forthwith shipped back to Eng-

land. The consignment to Charleston was received and stored away. At Boston the situation was somewhat more colorful. There the consignees were "the children, cousins, and most intimate connections of Governor Hutchinson." [19] "The town of Boston, which had been so long obnoxious to government, was the scene of the first outrage. Three ships laden with tea, having arrived in that port, the captains were terrified into a concession, that if they were permitted by the consignees, the board of customs, and the Fort of Castle William, they would return with their cargoes to England. These promises could not be fulfilled; the consignees refused to discharge the captains from their obligations under which they were chartered for delivery of their cargoes; the custom-house refused them a clearance for their return; and the governor to grant them a passport for clearing the fort." [20] While the whole continent was anxiously awaiting the outcome of this situation, a band of persons disguised as Indians, "boarded the ships, and in a few hours discharged their whole cargoes of tea into the sea, without doing any other damage, or offering any injury to the captains or crew." [21] "The destruction of the tea was a fine event for scribblers and speechifiers to declaim upon, and there was a hereditary hatred of New England in the minds of many in England, on account of their non-conforming principles." [22] That the scenes accompanying the destruction of the tea were a repetition of those that marked the attempt to enforce the Stamp Act, and the custom laws may be garnered from the following excerpt. "One would have tho^{t} before that all the Malice that Earth & Hell could raise were pointed against the Governor. Mr. Paxton (one of the Commiss^{rs}) & the Tea Consignees, two of whom are the Govern^{rs} Sons, the other

[19] Adams, J., *op. cit.*, IV, p. 87.
[20] *Annual Register*, 1774, XVII, p. 49.
[21] *Ibid.*, 1774, XVII, p. 49.
[22] Adams, J., *op. cit.*, IV, p. 92.

are M^r^ Clark a respecta^(ble)^ Old Gentleman & his Sons, with two other Merchants M^r^ Haliwell another Commiss^r^ & likewise of this Country was an object of their threats.

"The Tea Consignees remain Still at the Castle. Six weeks since the Tea was destroyd, and there is no prospect of thier (*sic*) ever returning & residing in Boston with Safety. This place, & all the Towns about enterd into a written agrement not to afford them any Shelter or protection, so that they are not only banishd from their families & homes, but their retreat is cut off, & their interest greatly injured by ruining their Trade.

"It is indeed a severe case, & can hardly be credited, I think, that the Gov^rs^ Sons sho'd be treated as fugitives & outlaws in their own Country. One of them lately went from the Castle, & with his Wife to her Fathers House, a Gentleman at Plymouth 40 Miles from Boston. They had no sooner arrived there, but the Bells toll^d^ and the Town Assemble^g^ instantly went to the House, demanded that M^r^ Hutchinson should depart immediately out of the Town. Col^o^ Watson his father in law, spoke to them, saying that it was so late at Night, & the Weather so severe, that M^r^ H: & his wife cou'd not without great inconvenience remove from his house that night, but promised them, they should go in the Morning by 9 o'Clock. The time came, and they were not gone, when the Town bells tolled again, & the people gatherd about the house. Upon which the Young Couple Sett off in a great snow storm. & nobody knows since where they are." [23]

The Boston Tea Party was the handwriting on the wall. Harmony between the two countries could be restored only by relinquishing the plan of levying internal taxes upon the colonists and by ceasing to interfere in their domestic affairs pertaining to government. This course, in effect, was diametrically opposed to the king's ambi-

[23] Hulton, Ann, *Letters of a Loyalist Lady*, pp. 69-70.

tion to rule. Having conquered England by patronage, George III would not hesitate to rule America by penalties.

Though the destruction of the tea occurred in December of 1773, a full account of the episode did not reach England till the early spring of 1774. The friends of America residing in England deplored the outrage. The ministry were indignant. National pride was aroused. Consequently, a series of measures for punishing the audacious act of the Bostonians was soon resolved upon. The port of Boston was closed to all commerce. The charter of the colony revoked. Jurisdiction over cases of riot and tumult was transferred to the courts of the mother country.[24] The executive authority was vested in General Gage who received additional troops to enable him to enforce the new penal code. It was expected that the closing of the Port of Boston would be a source of gratification and profit to the neighboring provinces.[25] But the contiguous localities refused to profit by the affliction of Boston. Concerning the closing of the Port of Boston, Thomas Jefferson wrote: "We were under conviction of the necessity of arousing our people from the lethargy into which they had fallen, as to passing events; and thought that the appointment of a day of general fasting and prayer would be most likely to call up and alarm their attention."[26] Hence June first, the day upon which the intolerable acts were to go into effect, was set aside by the Virginia legislature for a day "of fasting, humiliation and prayer, to implore Heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the hearts of King and Parliament to moderation and justice."[27] That Boston was determined to resist the opppressive

[24] Adams, J., *op. cit.*, I, p. 141.
[25] *Annual Register*, 1775, XVIII, p. 2.
[26] Jefferson, Thomas, *Works*, I, p. 9.
[27] *Ibid.*, I, pp. 9-10.

measures of the mother country may be gleaned from a letter written by Samuel Adams to Andrew Elton Wells. "Four Regiments," writes he, "are encamped upon our Common, while the Harbour is blockd up by Ships of War. Nothing is suffered to be water-borne in the Harbour excepting the Wood and Provisions brot in to keep us from actually perishing. By such Oppressions the British Administration hope to suppress the Spirit of Liberty in this place; but being encouraged by the generous Supplys that are daily Sent to us the Inhabitants are determined to hold out and appeal to the Justice of the Colonies & of the World."[28] This inhumane treatment of Boston was viewed by John Adams as, "the last effort of Lord North's despair," and he continues, "he will as surely be defeated in it as he was in the project of the tea."[29] The overthrow of Lord North's plan to punish the colonists of Boston would seem to signify that the ambitions of George III to rule were at an end. However, the king was equally determined that "the colonies must either triumph or submit."[30] The coercive measures designed to subjugate the people of Boston served to unite them more firmly in resisting what they deemed an outrage. The cause of Boston soon became the problem of all Americans. Her difficulties and sufferings gave her a preëminence which otherwise she could not have acquired.[31] The intolerable measures instead of dividing the colonies joined them in friendship and union, which perhaps no other means in nature could have done.[32]

The General Assembly, which had previously been transferred from Boston to Salem convened for the purpose of devising means to remedy the situation caused

[28] Adams, S., *op. cit.*, III, pp. 146-147.
[29] Adams, J., *op. cit.*, I, p. 143.
[30] Green, J. R., *op. cit.*, V, p. 320.
[31] *Annual Register*, 1775, XVIII, p. 42.
[32] *Ibid.*, 1775, XVIII, p. 42.

by the late doings of parliament. From this closed assembly came forth a plan providing for a general congress, to be held at Philadelphia, and which was to be composed of delegates from all the colonies. The first meeting of this proposed assembly was set for September fifth, 1774. Simultaneously with the negotiation for a new congress, Massachusetts chose five of her most prominent citizens to represent her at Philadelphia when the initial meeting occurred.

The temper and the disposition of both the English government and the American colonists unmistakably indicated that their difficulties would soon, for irrevocable settlement, be transferred to the field of battle. Hence both sides, rulers and ruled, while awaiting the convocation of the delegates at Philadelphia, prepared for war.

CHAPTER IV.

The Cause Idealized, 1774.

As late as 1774, on what might aptly be termed the eve of the Rebellion, a British officer stationed at Boston frequently was heard to say, "I wish I were parliament; I would not send a ship or troops to this country; but would forthwith pass a statute, declaring every town in North America a free, sovereign, and independent commonwealth. This is what they all desire, and I would indulge them. I should soon have the pleasure to see them all at war with one another, from one end of the continent to the other."[1] This wise observation is today too well known to need clarification. There was an ancient and violent cleavage common to the colonists and to the colonies. This condition was produced not by an economic wedge, but by attachment to discordant and numerous religious beliefs and practices. New England had her Congregational clergy, who were antipathetic to all forms of religious ceremonial expression, and to the hierarchical system of discipline. These ministers were the moulders of public opinion; for the simple reason that the people looked upon them as the "Law and the Prophets." "It must be remembered," writes Stillé, "in considering the course taken by Massachusetts prior to the Revolution, that the clergy of that Colony everywhere, but especially in the small towns, were those who directed the course of the movement."[2] From the remote days of the revolt of Henry VIII these pulpit politicians inherited and disseminated an abiding disregard and hatred for the Anglican Episcopate and the

[1] Adams, J., *op. cit.*, IV, p. 492.
[2] Stillé, C. F., *op. cit.*, p. 30.

Papacy. Both of these institutions, though immeasurably distinct, were detested with a vehemence difficult, in our own time, to understand. This insurmountable barrier kept the colonists of New England divided into two formidable classes, the Anglicans and the non-Conformists. The former on account of their adherence to the British policy and their desire to have their own episcopate established in America were styled Tories; while the latter group, standing in opposition to British interference in the internal affairs of the colonies, assumed the name of Whigs. It is well here to recall the fact that the old Whig element in England wrested peacefully from the hands of kings George I and George II those powers of government which George III at this time was attempting to recover or to regain.

"All governors, lieutenant-governors, secretaries, councillors, attorneys-general, chief justices, custom officers—all colonial officers, in fact, who were appointed by the British Government—were "ruffled-shirted Episcopalians," and attended the Anglican Church. This fact, especially in the northern colonies, where an opposing sect was established, served to keep the British officials aloof religiously and to make Dissenters less willing to yield obedience to them. . . . If they took their religion at all seriously, they were sure to give offense by merely encouraging Anglican church practices."[3] Moreover, these appointees were regarded as the, "principal movers, in all the disturbance, misery, and bloodshed," which had befallen the unhappy colonists.[4] Puritan and Pilgrim had left the homeland, braved the dangers of the uncharted Atlantic, and endured the inconveniences and the hardships of colonial existence just to be freed from what they considered the odious Anglican Episcopate. A century and a half later, however, found the

[3] Van Tyne, C. H., *Causes of the American Revolution*, p. 45.
[4] Adams, S., *op. cit.*, III, p. 41.

hobgoblin of the Dissenters coming into the ascendency in colonial affairs. This condition was apparently unbearable. " . . . the efforts of the English bishops to establish that very system which the colonists came over here to avoid, was a potent factor in producing among our ancestors that attitude of mind which made the Revolution possible."[5] Writing in 1815, John Adams made this observation, "Where is the man to be found at this day, when we see Methodistical bishops, bishops of the church of England, and bishops, archbishops, and Jesuits of the church of Rome, with indifference, who will believe that the apprehensions of Episcopacy contributed fifty years ago, as much as any other cause, to arouse the attention, not only of the inquiring mind, but of the common people, and urge them to close thinking on the constitutional authority of Parliament over the colonies? This, nevertheless, was a fact as certain as any in the history of North America. The objection was not merely to the office of a bishop, though even that was dreaded, but to the authority of parliament, on which it must be founded. . . . If Parliament can erect dioceses and appoint bishops, they may introduce the whole hierarchy, establish tithes, forbid marriages and funerals, establish religious and forbid dissenters, etc."[6] That the question relative to the introduction of the Anglican Episcopate held captive the minds of many of the colonists can be educed from the fact that, " during the decade from 1760 to 1770 there arose no fewer than three formal controversies concerning the introduction of bishops. . . . These discussions, though marked by much close and earnest reasoning, occasionally descended into the lowest stages of personality and abuse."[7] Divers patriotic clergymen in Virginia protested against the

[5] Cross, A. L., *Schemes for Episcopal Control in the Colonies*, I, p. 238.
[6] Adams, J., *op. cit.*, ——, p. 185.
[7] Cross, A. L., *op. cit.*, I, p. 239.

erection of an episcopate in America.[8] The basis of this clerical opposition was the fear prevalent among the clergy that their own independence and prestige might suffer some loss.[9] While the erudite discussed the advisability and the utility of an Anglican episcopate being introduced into America, the dissenting ministers were not above stooping to inflame the popular mind against any such attempt. "The ministers were able and zealous propagandists with a remarkable opportunity for reaching the people."[10] The common people generally have their thinking done for them by those higher up on the social ladder. This has ever been the case. Hence it is not surprising to find that this same situation obtained during the days antecedent to the Revolution; for Ann Hulton wrote to a friend residing in England that "The Credulity of the Common people here is imposed on by a number of Lies raised to irritate & inflame them. They believe that the Commis^rs have an unlimited power given to tax even their Lands, & that it is in order to raise a Revenue, for supports a Number of Bishops that are coming over &c they are inspired with an enthusiastic Rage for defend^g their Religion & liberties."[11] Thus far we have been dealing with the religious sentiment that existed in New England and especially in Massachusetts, the home of the non-Conformist. In New York there was a feeling prejudicial to the interests of New England. This was engendered by the Episcopalian element.[12] Pennsylvania harbored a variety of sects as unlike as they were numerous. Hence unity of purpose was not easily to be obtained among the inhabitants of William

[8] Adams, S., *op. cit.*, II, p. 236.

[9] Baldwin, *The New England Clergy and the American Revolution*, p. 170.

[10] *Ibid.*, p. 171.

[11] Hulton, Ann, *op. cit.*, p. 13.

[12] Adams, J., *op. cit.*, II, p. 350.

Penn's colony.[13] This fact will show itself to greater advantage as we approach the First Continental Congress. It is needless further to multiply evidence which definitely shows that there was a marked difference of feeling among the colonists relative to religious beliefs and practices. "Religious antagonisms were of chief importance," writes Dr. Schlesinger, "in accentuating differences between the colonies and the Mother country that already existed because of economic and geographic reasons."[14]

The fear of the colonists that the Anglican Episcopate would be legally established in America kept the protestant element in the colonies divided into two powerful camps, the Anglicans and the non-Conformists. Besides these two groups there was a fairly large and steadily growing class of people, adherents of a Creed which was held in ridicule and contempt by the members of the other two major divisions. It is to the study of this third class, the Roman Catholics that we now turn. "In all the Colonies except Pennsylvania, the exercise of the Catholic religion was debarred or its public exercise restricted. In Rhode Island no restrictions of law existed but no Catholics are known to have been there. In Pennsylvania alone did real and full Religious Liberty exist. Even here its members were civilly restricted by oaths required by law of England from officials which a Catholic could not take had any been chosen to office."[15] Loathing and detestation were the feelings toward the Catholics by the non-Conformists.[16] Since this anti-Catholic spirit generally permeated the colonies it is not surprising that the non-Catholic population were fearfully alarmed in 1774, when the Quebec Act, granting religious liberty to the Canadians, was passed by Parliament. The

[13] Stillé, C. J., *op. cit.*, pp. 131-132.
[14] Schlesinger, A. M., *New Viewpoints in American History*, p. 169.
[15] Griffin, Martin J., *Catholics and the American Revolution*, I, p. 3.
[16] Adams, S., *op. cit.*, I, p. 203; also cf. Adams, J., *op. cit.*, IX, p. 3555.

bulk of the population of Canada was Catholic. Consequently all in the colonies who were opposed to Catholicism saw in that piece of legislation the initial royal attempt to establish the Catholic religion in Protestant America. In effect, this aroused and cemented all anti-Catholic prejudices. In his *Life and Times of John Carroll,* Dr. Guilday writes, "The colonial period of American history, especially during the eleven years which separated the Treaty of Paris (1763) from the passage of the Quebec Act (1774), was ending in a whirlwind campaign of anti-Catholicism, or *No Popery,* when the Revolution broke out. In those provinces where Catholics were allowed to live without public molestation, they were distrusted by law and laid under heavy disabilities. They could not enjoy any place of profit or trust while they continued faithful to their religious belief, and prejudice of the *No Popery* kind was mistress of the land of future liberty. The bonds of bigotry bound down all whose conscience would not permit compromise in matters of faith. Toleration, when it did come, came not as a result of any high-minded principles of liberty on the part of the leaders of the Revolution, but accidentally as a by-product of the policy which was born with the spirit of independence." [17]

Had not religion been a moving force upon the minds of the people there would have been no ideals for which the colonists might struggle. For obviously neither the oppressive tax laws nor the restrictions on popular rights were felt alike by all the colonists. The leaders of the revolt impressed upon the minds of the people that Protestantism was assailed by the Quebec Act, and might ultimately be overthrown in America. Naturally this situation again brought into question the authority of Parliament. " The nature and extent of the authority of Parliament over the Colonies was discussed every-

[17] *Life and Times of John Carroll,* pp. 71-72.

where, till it was discovered that it was none at all: a conclusion still more forcibly impressed upon the people by the Canada Bill, by which the Roman Catholic religion, and Popish Bishops were established in that province, by authority of a British Parliament. The people said, if Parliament can do this in Canada, they can do the same in all the other colonies: and they began to see, and freely to say, that Parliament had no authority over them in any case whatsoever."[18] The Quebec Act contributed more than, perhaps, any other measure to drive the American provinces into . . . rebellion.[19] The views of Alexander Hamilton on the Quebec Act are worthy of notice. He writes, "Roman Catholics by reason of implicit devotion to their priests, and the superlative reverence they bear those who countenance and favor their religion, will be the voluntary instruments of ambition, and will be ready, at all times, to second the oppressive designs of administration against other parts of the Empire."[20] Other leaders of the colonists no less prominent than Hamilton shared his views on Catholics in general. A little study of the Catholic and his doctrine would have greatly enlightened all of them.

The time for the convening of the First Continental Congress finally arrived. While at Philadelphia to attend the convention, John Adams laid aside his narrow non-conformist's views long enough to attend services at a Catholic Church. Of that event he wrote, "Went, in the afternoon, to the Romish chapel, and heard a good discourse upon the duty of parents to their children, founded in justice and charity. The scenery and the music are so calculated to take in mankind, that I wonder the Reformation ever succeeded. The paintings, the bells, the candles, the gold and silver; our Saviour on

[18] Morse, J., *Annals of the American Revolution*, p. 200.
[19] *Canadian Freeholder*, III, pp. 5-6.
[20] *Papers*, II, p. 137.

the Cross, over the altar, at full length, and all his wounds bleeding. The chanting is exquisitely soft and sweet." [21] Either Mr. Adams attended the services of the Catholic church to manifest his broadmindness, or his curiosity, the mainspring of human activity, impelled him to obtain first hand information relative to Catholic customs and practices. Whatever might have been his motive for entering a Catholic church, his written observations on that occasion unmistakably indicate that it was the first time in his careeer that he attended Catholic worship. This observation of Mr. Adams assumes greater significance, when it is realized that among the anti-Catholic element of New England, he must be accorded high rank. However, in Pennsylvania, Catholics unlike their co-religionists of Massachusetts were unmolested in affairs pertaining to religion. Hence it would have beeen impolitic for him to bring to the Quaker colony any of the narrow-mindedness peculiar to Massachusetts in particular, in general to New England. Any such display on the part of the New England delegates to the Congress would have greatly tended to alienate any possibility of obtaining support and succor for the cause of Boston. The truth of this statement is borne out by two incidents now to be narrated.

That religion was a factor tending to keep the colonies in a state of discord may be gleaned from the following event which transpired at the opening of the first session of the Congress. Mr. Cushing made a motion that the meeting should be opened with prayer. Mr. Jay, of New York, and Mr. Rutledge, of South Carolina, objected to the motion on the ground that the religious sentiment represented in the gathering was so dissimilar. The following religions were represented in the gathering: Episcopalians, Quakers, Anabaptists, Presbyterians, and Congregationalists. The objectors to Mr. Cushing's

[21] Adams, J., *op. cit.*, II, p. 395.

motion maintained that the members of these various sects could not join in the same act of worship. Samuel Adams arose, and cleared the way for prayer when he said, "He was no bigot, and could hear a prayer from a gentleman of piety and virtue, who was at the same time a friend to his country. He was a stranger in Philadelphia, but he heard that Mr. Duché deserved that character, and therefore he moved that Mr. Duché, an Episcopalian clergyman, might be desired to read prayers to the Congress to-morrow morning."[22] The motion passed the house. Mr. Duché on the following morning read the prayers at the opening of the session. The broadminded attitude manifested on that occasion by Samuel Adams, so unlike his real self, did much to overcome suspicion and it allayed the antagonism bred of religious differences.[22a] It succeeded in turning the tide of popular sentiment in favor of the Congress, and its problems.

Though differences of opinion arising from religious preferences temporarily were laid aside by the members of Congress, in order more quickly to attend to the affairs of the colonies, the same harmony did not obtain outside the walls of Carpenter Hall. Devotees of the various religions were awake to the significance of the meeting, and their activities threatened to bring disrepute and disfavor upon the Congress.

On one occasion John Adams was inveigled into attending a meeting which was being held in Carpenter Hall. In his own words he says, "We all went at the hour (6 p. m.), and to my great surprise found the hall almost full of people, and a great number of Quakers seated at the long table with their broad-brimmed beavers on their heads. We were invited to seats among them, and in-

[22] Adams, J., *op. cit.*, II, pp. 368-369, note.

[22a] This same Rev. Jacob Duché, in 1776 went over to the British, and wrote to Washington advising him to abandon the patriotic cause. Cf. Griffin, *Catholics and the American Revolution*, Vol. I, p. 36.

formed that they had received complaints, from some Anabaptists and some Friends in Massachusetts, against certain laws of that Province, restrictive of the liberty of conscience, and some instances were mentioned, in the General Court, and in the courts of justice, in which Friends and Baptists had been grievously oppressed." [23]

This self-created tribunal was neither legal nor constitutional. Still it was the only logical manner in which the adherents of the several religions represented in Pennsylvania could have impressed upon the minds of the New England representatives to the Congress that discrimination against their fellow religionists on account of religion was not to be tolerated by the Pennsylvanians. In the final analysis it was a meeting of protest. However, Mr. Adams beheld in that incident an attempt to disrupt the Congress, or at least it was an effort, "to withdraw the Quakers and the governing part of Pennsylvania" from the cause of Massachusetts.[24]

On October 14, 1774, the congress in session gave form to the furor created among the colonists by the passage of the Quebec Act, when it resolved that: "The Act passed for the establishing the Roman Catholic Religion in the Province of Quebec, abolishing the equitable system of English Laws and erecting a tyranny there to the great Danger (from so total a Dissimilarity of Religion, Laws and Government) of the neighboring Colonies, by the assistance of whose blood and treasure the said country was conquered from France." [25] If the British ministry would have repealed the Quebec Act, there is no doubt that the colonists would have arbitrated their differences with the mother country. This, of course, would have been impossible, if England wished to retain full control of Canada. The Canadians were first of French extrac-

[23] Adams, J., *op. cit.*, II, p. 398.
[24] *Ibid.*, II, p. 399.
[25] *Journals of Congress*, I, p. 22.

tion. Their love was for France. Secondly they were staunch Catholics. The passage of the Quebec Act was not a mistake on the part of England. It was rather an ingenious diplomatic piece of legislation; designed to transfer the affection of the Canadian from France to England. It succeeded. On the other hand, the sword of Britain failed to hold within the Empire the territory south of the Canadian border. In the Act was the element of chance. The gambler, England won and she lost.

The members of the congress were not averse to trying their hand at diplomacy. Vainly did they resort to the scheme of winning over to their assistance the King and the people of England to whom they sent two addresses. Simultaneously an address was destined to the people of Canada. Excerpts from those three letters will now be given in order more thoroughly to comprehend the attitude of the American colonists toward the Quebec Act.

PETITION TO THE KING
Wednesday, Oct. 26, 1774.

". . . In the last sessions of parliament, an act was passed for blocking up the harbour of Boston; and another, empowering the governor of Massachusetts-bay to send persons indicted for murder in that province to another colony or even to Great Britain for trial whereby such offenders may escape legal punishment; a third, for altering the chartered constitution of government in that province; and a fourth for extending the limits of Quebec, abolishing the English and restoring

ADDRESS TO THE PEOPLE OF GREAT BRITAIN
Wednesday, Oct. 21, 1774.

". . . That we think the Legislature of Great Britain is not authorized by the constitution *to establish a religion, fraught with sanguinary and impious tenets* or, to erect an arbitrary form of government, in any quarter of the globe. . . . And by another Act the Dominion of Canada is to be so extended, modelled, and governed, as that by being disunited from us, detached from our interests, by civil as well as religious prejudices, that by their numbers daily swelling with Catholic

the French laws, whereby great numbers of English freemen are subjected to the latter, *and establishing an absolute government and the Roman Catholic religion throughout those vast regions,* that border on the westerly and northerly boundaries of the free Protestant English settlements; and the fifth for the better providing suitable quarters for officers and soldiers in his majesty's service in North America." [26]

emigrants from Europe, and by their devotion to Administration so friendly to their religion, they might become formidable to us, and on occasion be fit instruments in the hands of power, to reduce the ancient free Protestant Colonies to the same state of slavery with themselves . . . *Nor can we suppress our astonishment that a British Parliament should ever consent to establish in that country a religion that has deluged your island in blood, and disbursed impiety, bigotry, persecution, murder and rebellion through every part of the world."* [27]

Though grievances are enumerated in both memorials, the one to the King is an attempt professing loyalty to the Crown; while the other is skillfully designed to captivate the strong anti-Catholic prejudices of Englishmen in general. Both of these utterances reveal the acrimonious American attitude toward Catholics. This, however, should be observed. Some of the English people saw in the letter which the congress sent to them a reproach for their shameful degeneracy.[28]

The colonists strike a different chord in the address sent to the inhabitants of Canada, whose assistance they were endeavoring to obtain.

Address to the Canadians,

Wednesday, October 26, 1774.

. . . These are the rights you are entitled to and ought at this moment in perfection, to exercise. *And what is offered to you by*

[26] *Journal of Congress,* I, p. 47.

[27] *Ibid.,* I, p. 27.

[28] *Annual Register,* 1775, XVIII, p. 30.

the late Act of Parliament in their place? Liberty of conscience in your religion No, God gave it to you; and the temporal powers with which you have been and are connected, firmly stipulated for your enjoyment of it. If laws, divine and human, could secure it against the despotic caprices of wicked men, it was secured before. . . . We are *all too well acquainted with the liberality of sentiment distinguishing your nation, to imagine, that difference of religion will prejudice you against a hearty amity with us.* You know, that the transcendent nature of freedom elevates those, who unite in her cause, above all such low-minded infirmities. The Swiss Cantons furnish a memorable proof of this truth. Their union is composed of Roman Catholic and Protestant States, living in the utmost concord and peace with one another, and thereby enabled, ever since they bravely vindicated their freedom, to defy and defeat every tyrant that has invaded them." [29]

A brief examination of the preceding excerpts make it difficult to exonerate the members of the First Continental Congress from a suspicion of duplicity. When the Canadians awakened to the fact that the Protestants in the American colonies bitterly denounced the Quebec Act, and the Catholic religion, they refused to aid the Americans to gain their independence. The reaction of the Canadians to the Colonial congress will be seen to advantage in the chapter dealing with the invasion of Canada.

Among writers of American history there is a variety of opinions relative to the importance of the Quebec Act as a factor precipitating the American Revolution. In the main all are agreed that the colonists considered it as a punitive measure which strengthened colonial opposition to the program of Lord North. However, the late eminent English Benedictine historian, Cardinal Gasquet, went a step farther when he wrote that the Quebec Act was . . . "the price paid by the Empire to secure for Canada freedom for the exercise of the Catholic religion,

[29] *Journal of Congress,* I, pp. 42-44.

and was in some real sense the cause of the loss of the other American Dependencies.'' [30] To assert or to maintain that the Quebec Act was one of the principal causes of the American Revolution is to betray a woeful lack of information regarding the forces then at work. On the other hand, to disregard it entirely as a factor is to offend in a similar manner. Appealing to the religious sense gave to the colonists that ideal without which the voluntary sacrifice of life is rationally impossible.

The salient non-religious features of the Quebec Act may be briefly summarized as follows: The substitution of French for English law; the withholding of the representative institutions which existed in the other provinces; and the great territorial extension of the province southward to the Ohio River. Thus what is to-day included in the states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota was to be brought under Canadian dominion. This phase of the Quebec Act gave offense to the American colonists. However, our purpose was to show that the idealization of the colonial cause was effected not so much by the political aspect of the situation as by the religious element. There is no doubt that the former greatly contributed to the social unrest inasmuch as it dimmed the hopes of the patriot party for Protestant expansion in the region of the Ohio.[30a]

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[30] Gasquet, *The Price of Catholic Freedom in Canada,* in *Tablet,* London (July 20-27, 1912), CXX, pp. 82-83, cited by Guilday, *op. cit.,* p. 75.

[30a] For a different version of the question *vide Report of the American Historical Association,* 1894. Article by Victor Coffin, "The Quebec Act and the American Revolution," pp. 273-279.

CHAPTER V

Rejection and Rebellion, 1775

The preceding chapter dealt with the religious factor operating in the colonies up to the eve of the open rupture with the home government. That religion was something more than a mere ephemeral source of discontent and strife was indicated by the hostility of the colonial mind displayed by the members of the First Continental Congress toward the religious phase of the Quebec Act.

Dissatisfaction and discontent were not confined to the mode in which man worshipped his God, but they extended as well to the manner and the method of adjusting themselves to the unsavory social, political, and economic burdens under which they were then laboring. In the multiplicity of opinions that found expression in the deliberation and debate unanimity obtained only in one aspect. . . . All bore a common grievance in the fact that all were taxed without their consent and against their wishes. When, however, it came to adopting a plan for securing redress, a device that would satisfy all concerned, the pendulum of theory swung from the impracticable scheme for more closely uniting the colonies to the mother country to the radical, dangerous and less thoughtful solution of the difficulty—total independence from Great Britain. Between these extremes lay the panacea for colonial ailments. After considerable discussion and debate, conducted in secret, the delegates finally put forth what they thought was an harmonious and conservative method of treating with the mother country. Thus all pet theories were subordinated to the general welfare. That fact alone stands as an eternal testimony to the integrity and patriotism of those generally who made up the First Continental Congress. With fronts united the delegates gave to the world what they

believed to be an expression of colonial dissatisfaction, and simultaneously prescribed the appropriate remedy. The work accomplished by that body can be fittingly summed up as follows: A Declaration of Rights and Grievances, in substance, recalled every major circumstance entailed in the controversy with England during the past decade. The rights claimed by the "inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts" were set forth. In addition to these were enumerated the thirteen acts of Parliament which were considered as "infringements and violations of the rights of the colonists" whose repeal was "essentially necessary in order to restore harmony" between them and Great Britain. In particular the five coercive acts were condemned as "Impolitick, unjust, and cruel, as well as unconstitutional, and most dangerous and destructive of American rights."[1]

"No colonies before or since," writes Fisher, "have ever been in a position to demand such a sweeping change. It must be confessed that it was a rather stiff demand, and hard for England to accept, because it in effect abolished her colonial system."[2] Clause four of the Declaratory Act, cited here in abridged form, cannot be interpreted otherwise than as a demand for Independence:

"That the foundation of English liberty and of all free governments is a right in the people to participate in their Legislative Council, and as the English Colonies are not represented, and cannot be properly represented, in the British Parliament, they are entitled to a free and exclusive power of legislation in their several Provincial Legislatures in all cases of taxation and internal policy, subject only to the negative of their Sovereign; and that

[1] *Journals of Congress*, I, pp. 19-22; also cf. Howard, G. E., *op. cit.*, pp. 293-294.

[2] Fisher, Sidney G., *The Struggle for American Independence*, I, p. 233.

there shall be no idea whatever of any taxation for raising a revenue on the subjects in America without their consent." [3]

The next great undertaking of the Congress was, "The Association" designed to effect a stringent non-importation, non-exportation and non-consumption agreement. However, like shrewd business men the delegates allowed themselves one year during which time American goods could be exported to Great Britain, in the event that Great Britain chose to buy them.[4] Similar agreements to boycott the English product had previously been entered into by the colonists, but the success of those undertakings rested solely upon the good will and coöperation of the parties to the project. This new venture planned to remove all temptation to violate the agreement when it provided condign punishment for those merchants who should attempt to subvert the new regulations by secretly trading with the enemy merchant. Hence commercial coercion was resorted to as a means of obtaining concessions from Parliament. Effectively to enforce the regulation of "The Association" committees were to be chosen in every town, city and county, "whose business it shall be attentively to observe the conduct of all persons," and if any one violates the Association, forthwith to cause the truth "to be published in the gazette," to the end that the foes to the rights of British America may be "publicly known" and "universally contemned." The committees of correspondence in the respective colonies are charged frequently to inspect the entries of their custom-houses and to keep each other informed regarding all matters touching the Association.[5] It must be kept in mind that the delegates from the various colon-

[3] *Journals of Congress*, I, pp. 20-21; also cf. Belcher, H., *First American Civil War*, I, p. 214.

[4] Trevelyan, Sir G. O., *American Revolution*, Part I, p. 206.

[5] *Journals of Congress*, I, pp. 23-26; also cf. Howard, G. E., *op. cit.*, pp. 294-295.

ies met at Philadelphia only in the capacity of advisors; they had no delegated powers to legislate for the colonists. Consciously or unconsciously that body assumed a legal function when it adopted the Association and placed sanction upon the violation of its provisions. The mere fact that the people at large accepted the Congress and its proposed Association was not sufficient to clothe it with legality. It was an ultra-legal undertaking and as such must be regarded. That this attitude prevailed in England can be inferred from the fact that Parliament refused to receive the memorial submitted to it by Congress, and denied a hearing to the colonial petition for a redress of grievances. The attitude of Parliament toward these instruments for the restoration of peace and harmony between the two countries was correct and just, because they emanated from an illegal, if not a treasonable gathering. However, a paternal and more prudent handling of the situation by the legislative body of England would have greatly weakened the colonial opposition to what was then looked upon as an encroachment of the British government. The address to the American people sent out by the Congress had the effect of arousing and strengthening that opposition. Hence it may be seen that measures adopted by the First Continental Congress for the purpose of restoring amicable relations between England and her colonies failed of their purpose. After having determined upon the date of its next meeting, the First Continental Congress, about the end of October, 1775, adjourned. Within the next six months all the provincial assemblies except New York and Georgia ratified the Articles of Association. The aloofness of these did not seriously affect the main issue.

"The proceedings of Congress were read throughout America, with enthusiastic admiration. Their recommendations were revered as revelations, and obeyed as the laws of the highest obligation. It is true, that in some

few places disaffection to the system of opposition prevailed."[6] It would have been little short of the miraculous had perfect unanimity obtained among the colonists, especially since there were so many factors tending to keep them disunited as colonists and colonies. There were many noble and upright people who did not wish to sever their allegiance with the Mother country. Though they were within their rights as individuals in taking this stand, the colonists regarded them as enemies to freedom and consequently they were frequently exposed to popular fury. Violence to person and to property were not uncommon events. So shocking and unpleasant was the treatement meted out to the Loyalists by the patriots that historians pass over them as mere incidents accompanying every rebellion. In changed circumstances the Loyalists would have been as pitiless as the patriots. The following episode is given in order to bring into relief the excesses that seldom fail to mark mob violence. However, it is only proper that both sides of that event should be set forth. The first narrative comes from the pen of a Loyalist lady, who on more than one occasion had been offended by the breath of the colonial levelling spirit. The second account is from the pen of John Adams, whose devotion to his country and its cause is beyond question. After reading this account the reader may object to the overdrawn description by Ann Hulton and categorize it as unreliable and prejudicial to the colonists. It, however, must not be forgotten that the patriotic sentiment of Mr. Adams seldom rose above the ethical plane of concealing facts, especially when those facts injured the cause to which he was devoted.

[6] Marshall, John, *Life of Washington*, II, p. 183.

". . . the most shocking cruelty was exercised a few Nights ago, upon a poor Old Man a Tidesman one Malcom he is reckoned creasy, a quarrel was pickd wth him, he was afterwards taken, & Tarrd, & featherd. Theres no Law that knows a punishment for the greatest Crimes beyond what this is, of cruel torture. And this instance exceeds any other before it he was stript Stark naked, one of the severest cold nights this Winter, his body coverd all over with Tar, then with feathers, his arm dislocated in tearing off his cloaths, he was drag^{d} in a Cart with thousands attending, some beating him wth clubs & Knocking him out of the Cart, then in again. They gave him several severe whipings, at different parts of the Town. This Spectacle of horror & Sportive cruelty was exhibited for about five hours . . . when under Torture they demanded of him to curse his Masters The K; Gov^{r} &c which they coud not make him do, but he still cried, Curse all Traitors. They bro^{t} him to the Gallows & put a rope about his neck sag^{g} they woud hang him he said he wishd they woud, but that they coud not for God was above the Devil. The Doctors say that it is impossible this poor creature can live. . . .

". . . Malcom was such an oddity as naturally to excite the curiosity and ridicule of the lowest class of people wherever he went; had been active in battle against the regulators in North Carolina, who were thought in Boston to be an injured people. A few weeks before, he had made a seizure at Kennebec River, a hundred and fifty miles from Boston, and by some imprudence had excited the wrath of the people there in such a degree that they tarred and feathered him over his clothes. He comes to Boston to complain. The news of it was spread in town. It was a critical time, when the passions of the people were warm. Malcom attacked a lad in the street, and cut his head with a cutlass, in return for some words from the boy, which I suppose were irritating.

The boy ran bleeding through the street to his relations, of whom he had many. As he

It is the second time he has been Tarrd & featherd & this is look[d] upon more to intimidate the Judges & others than a spite to the unhappy Victim tho' they owe him a Grudge for some things particul[r] he was with Gov[r] Tryon in the Battle with the Regulators & the Governor has declared that he was of great service to him in that Affair, by his undaunted Spirit encountering the greatest dangers. . . . These few instances amongst many serve to shew the abject State of Governm[t] & the licentiousness & barbarism of the times. There's no Majestrate that dare or will act to suppress the outrages." [7]

passed the street, the people inquired into the cause of his wounds; and a sudden heat arose against Malcom, which neither whigs nor tories, though both endeavored it, could restrain, and produced the injuries. . . . But such a coincidence of circumstances might at any time, and in any place, have produced such an effect; and therefore it is no evidence of the weakness of the government." [8]

Note: The events above recorded occurred during the winter preceding the meeting of the First Continental Congress. It shows the treatment accorded those loyal to the Home government.

Hearkening to the warning given by the Congress that the "schemes agitated against these colonies, have been so conducted, as to render it prudent, that you should extend your views to mournful events, and be, in all respects, prepared for every contingency," [9] military companies were organized by the colonists. People began procuring arms and ammunition. George Washington was resolved to raise, subsist, and lead one thousand men to aid Boston.[10] This was in effect an Anglo-Saxon demonstration of the spirit of the Marseillaise. If his

[7] Hulton, Ann, *op. cit.*, pp. 70-72.
[8] Adams, J., *op. cit.*, IV, pp. 75-76.
[10] *Washington's Writing's* (Ford's ed.), II, pp. 440-444.
[9] *Journals of Congress*, I, p. 38.

followers knew how to die, Washington in the meantime would provide them with the necessaries of life.[11] Rough Riders traversed the country carrying to all the advice that they should be ready for the worst.[12]

On May 17, 1774, General Gage was made Governor of Massachusetts, succeeding His Excellency Thomas Hutchinson, who returned to England on an official leave of absence. Before the first year of his administration had expired Gage realized that the situation in Massachusetts was beyond his limited power to control. To this effect he notified the home government. Additional troops from England were requisite to give his authority any respect. These, however, could not be had before the spring of 1775.[13] By December, 1774, the colonial Governors knew in what direction the ship of state was headed. All were acquainted with the fact that the King was determined "to withstand every Attempt to weaken or impair the Authority of the Supreme Legislature over His Majesty's Dominions," and of the resolution of both Houses of Parliament" to support those Great Constitutional Principles by which His Majesty's Conduct hath been governed."[14] At this particular time "the King and His Ministry were backed by the opinion of the whole country so far as national opinion was then represented in the House of Commons."[15] This sounds paradoxical in view of the fact that Burke, Chatham and others ably pleaded the cause of the colonists. On the tenth of February, while the New England Restraining Act was pending in Parliament, Edmund Burke delivered his famous speech on "Conciliation with America" in which he vehemently condemned the ministerial procedure against

[11] Trevelyan, Sir G. O., *The American Revolution*, Part I, p. 203.

[12] Belcher, Henry, *op. cit.*, I, p. 220.

[13] Burns, J. F., *Controversies between Royal Governors and Colonial Assemblies*, p. 228.

[14] "Dartmouth to Gage," cited by Burns, *op. cit.*, p. 229.

[15] Belcher, Henry, *op. cit.*, I, p. 224.

the colonies and pointed out the fact that "From six capital sources: descent, form of government, religion in the northern provinces, manners in the southern, education, the remoteness of the situation from the first mover of government—from all these causes a fierce spirit of liberty has grown up. It looks to me narrow and pedantic to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people."[16] The eloquence and logic of this champion of the colonial cause failed to change the course of events. "It was," writes Van Tyne, "the failure of a Parliament, corrupted by George III, to heed the warning of England's greatest living statesmen, Burke and Pitt and Fox and Camden and Barré that brought about the rending of the empire."[17]

It was General Gage's opinion that an army of 20,000 men would be required to restore normal conditions in the provinces of Massachusetts, Connecticut, and Rhode Island. On the other hand, the ministry did not accept that version of the situation; for it regarded the state of affairs in those places as a temporary disturbance fomented by irresponsible mobs, who lacked plan or concert in acting and consequently could be easily quelled by seizure and arrest of the leaders. However, plans were made to send 4,000 troops to strengthen the position of General Gage.[18]

The clouds of war were rapidly mustering. Before they broke in all their fury a measure for reconciliation was made by the House of Commons and approved by the King, but it came to naught. This was owing to the fact that the affair at Concord and at Lexington placed

[16] Force, Peter, *American Archives* (4th Ser., I), pp. 1745 ff.; also cf. Howard, G. E., *op. cit.*, p. 305.

[17] Van Tyne, C. H., *op. cit.*, I, p. 478.

[18] Burns, J. F., *op. cit.*, pp. 229-230.

the controversy upon the field of battle. Ethan Allen captured Ticonderoga. "That was war." [19]

The extent to which the people were affected by the episode at Concord may be gleaned from the following excerpt from an official letter:

> "From the moment this blow was struck and the Town of Boston invested by Rebels, there was no longer any room to doubt of the intention of the people of Massachusetts Bay, to comit themselves in open Rebellion. The other three New England Governments have taken the same part, & in fact all North America (Quebec, Nova Scotia, & the Floridas excepted) is in arms against Great Britain, & the people involved in the guilt of levying war against The King in every sense of the expression." [20]

When the tidings of the struggle at Lexington got abroad, the whole country made vigorous preparations for war. Small and untrained bodies of soldiers hastened from the neighboring provinces to the scene of conflict. Those unable actively to participate in repelling the enemy were engaged in those pursuits without which no cause is carried on, much less won.

April 19, 1775, marks the beginning of the war for independence. Successes at Lexington and Concord hastened the raw colonial soldiers in their attempt to rid the vicinity of Boston of British soldiers. On June 17 was fought the Battle of Bunker Hill, which terminated in favor of General Gage's forces but only at the cost of over a thousand of his men. Though the colonists were defeated in that struggle, it produced the effects of a moral victory; for they had lost but 450 men. Thus they were strengthened in their conviction that they could successfully withstand the onslaughts of the King's well-trained soldiers.

As previously determined upon, prior to the adjourn-

[19] Adams, J., *op. cit.*, I, p. 171.

[20] "Dartmouth to Gage," cited by Burns, *op. cit.*, p. 232.

ment of the First Continental Congress, the second Congress assembled in the statehouse at Philadelphia on May 10th, 1775. Like its predecessor, the Second Continental Congress began functioning as an advisory body for all the colonies, but it was not long in assuming an aspect of a national legislature and continued to act as a government until the Confederation was established, March, 1781. Among its varied duties were the raising of a continental army; supplying it with capable leaders, furnishing it with food, clothing, money, arms and ammunition, without which the cause of the colonists must fail. In these undertakings the Congress, at times, displayed marked inefficiency.

Not without political significance, George Washington, a wealthy Virginian possessing much experience and intuitive skill in matters pertaining to war, was appointed commander-in-chief of the field forces. Immediately he went to Boston and relieved Artemus Ward, who had been commanding the colonial army before the present capital city of Massachusetts. The new head of the continental army was no stranger to camp life. From early manhood he had participated in various colonial military activities which earned for him the deserved reputation of being resourceful and tactful in a crisis. Next in rank to General George Washington stood General Charles Lee, a former British veteran who looked the part of a true soldier, but sadly lacked those qualities which constitute the valiant warrior. Whatever was the extent of Lee's ability, he was too jealous of Washington to give to America the benefit of his training and experience.

After having made a thorough examination of the documentary material dealing with the colonial and Revolutionary history of the thirteen colonies, Jared Sparks, in 1826, wrote,

"The more we look into the history of the colonies, the more clearly we shall see that the Revolution was not the work of a

few years only, but began with the first settlement of the country: The seeds of liberty, when first planted here, were the seed of the Revolution; they sprank forth by degrees; they came to maturity gradually; and when the great crisis took place, the whole nation were prepared to govern themselves, because they always had in reality governed themselves." [21]

This wise and just observation has been confirmed by every subsequent historian of any importance.

Early in July, General Washington arrived at Cambridge, established his headquarters, and took command of the army. Upon examination the new Commander-in-chief found the colonial troops lacking in discipline, arms and ammunition. The subordinate officers, ignorant of military affairs, had been elected to their posts by men of their companies equally ignorant of those qualities requisite for good leadership. This state of affairs tended to place a premium on inefficiency. To remedy these evils Washington immediately set to work; and toward the end of autumn had succeeded in putting his army into fighting form. The time required for its accomplishment exposed him to the severe and unjust criticism of an impatient public, who thought that the Virginia leader was procrastinating.

While the American troops were gathering around the outskirts of Boston, a plan was formed in the summer of 1775 for sending an expedition into Canada to take possession of that province before the British could succeed in rendering it impregnable. That the English regarded Canada as a strategic point was evident from the fact that British troops were rapidly assembling there; and momentarily might descend upon the Americans on their northern and western frontiers, attacking them from the rear.

One of the leading projectors of that enterprise was a daring and reckless character, Benedict Arnold. The

[21] Adams, H. B., *Life and Writings of Jared Sparks*, I, p. 494.

invasion of Canada needed the approval of the Continental Congress. Consequently a committee selected from that body came to Cambridge to confer with Washington relative to that undertaking. As a result of that conference, Arnold was selected to lead the expedition into Canada. The route taken by him and his men brought them up through Maine; through the valley of the Kennebec and thence down the Chaudiere in Canada. Another expedition commanded by General Montgomery and destined to meet Arnold before the walls of Quebec traveled nothward by Lake Champlain and Montreal. The following chapter is devoted to an account of this disastrous undertaking.

CHAPTER VI

The Invasion of Canada, 1775

Since every action has its reaction, the surrender at Saratoga may be properly designated as the reaction that followed the invasion of Canada and the culminating event of a counter-invasion. To comprehend the former, the latter must be studied. Encouraged by the spring-time successes at Crown Point and Ticonderoga, Congress as a measure of self-defence, in the early autumn of 1775, sent by the way of Lake Champlain an expeditionary force of two thousand men under General Richard Montgomery to win Canada to the American cause. Over uncertain ground, and through treacherous waterways, this courageous leader conducted his troops to Fort St. John, the sentinel that guarded the approach to Montreal some twenty miles to the northwest. On November 3d, after a siege of fifty days, its garrison surrendered. Nine days later the troops of Montgomery triumphantly entered Montreal. Thus far all was well with the Americans. With a certain amount of justifiable pride, they could count among their trophies eleven British vessels, as well as their crews and stores. Only one reverse befell the invaders. The impulsive Ethan Allen with a diminished band had been captured by the English.

Meanwhile another army of twelve hundred picked soldiers, under Benedict Arnold, was ordered from Boston to move upon Quebec by way of the Kennebec and the Chaudiere rivers. This difficult journey infinitely tasked the considerable resources of its alert leader. Its line of advance lay up the untraversed areas of the rushing Kennebec, down the wild Chaudiere, and across the savage Aroostooks, which divide the headwaters of the two

streams. Laboriously hauling their meagre commissary and their sick and dying, these indomitable sons of New England worked their way through the seemingly impenetrable thickets of Maine's primeval forests, their ranks thinning the while. On September 19, 1775, this formidable army began its northward march. Two months later six hundred seventy-five survivors, led by the unfortunate warrior of Connecticut, reached the banks of the majestic St. Lawrence. Taking position twenty-four miles above the city of Quebec, there to await the arrival of Montgomery.

Of the two undertakings, Arnold's was the more arduous, and fraught with greater dangers. When food gave out, the tattered soldiers of the Kennebec campaign, in an attempt to ward off starvation, are reported to have eaten their dogs. Hunger, fatigue, and cold claimed a toll of two hundred lives before the army had reached the Chaudiere, while two hundred more had already abandoned the idea of invading Canada, and forthwith returned to Massachusetts, carrying with them both the sick and disabled.

On December third, Montgomery joined Arnold. Early in the morning of the last day of the old year, they simultaneously opened fire on the town from opposite sides. It appeared that the Americans would be victorious, but Montgomery with three bullets in his body fell mortally wounded, and Arnold was removed from the conflict with a shattered leg. These casualties diminished the ardor of the Americans, whose fighting thereafter became spiritless. More troops were sent to Canada from New England, New Jersey, and Pennsylvania to improve the morale of the defeated army. Like their predecessors, these contingents sustained severe losses *en route*. On raching their destination they found the colonial regiments infected with small-pox. The resources of the commissary were nearly exhausted. Provisions could

not be procured unless the sale was accompanied with hard money, and that was scarce.

With the outcome of the invasion still dubious, the Continental Congress, in session during February, 1776, appointed a committee of three to visit Canada and seek assistance for the American cause. On that committee were Benjamin Franklin, Samuel Chase, and Charles Carroll of Carrollton. Relative to the commission, John Adams, a future President, thus wrote to a friend on February 18, 1776: "The character of the first two you know. The last is not a member of Congress, but a gentleman of independent fortune, perhaps the largest in America—a hundred and fifty or two hundred thousand pounds sterling; educated in some university in France, though a native of America; of great abilities and learning, complete master of the French language; and a professor of the Roman Catholic religion; yet a warm, a firm, a zealous supporter of the rights of America, in whose cause he has hazard[ed] his all."[1]

In every respect, this committee was thoroughly representative. Carroll's appointment can be traced to three sources; his relationship with Samuel Chase, a fellow townsman, his knowledge of the French language, and his Catholicity. The last two were invaluable assets, because not four people in a thousand then living in Canada spoke anything but seventeenth century French, the vast majority of whom were Roman Catholics. Since the Canadian priesthood was respected and powerful among the inhabitants of Quebec, leaders in Congress requested the Reverend John Carroll, S. J., a cousin of Charles Carroll of Carrollton, to accompany the commissioners, and use his influence with the Catholic clergy of the Dominion to have them advocate the formation of a union between the colonies and Canada. Though foreseen to be futile by the Maryland prelate, he willingly

[1] *Letters of John Adams to his Wife,* I, pp. 85-86.

agreed to make the journey, and exert himself in the cause of his country.

Twenty-seven days after they had left New York the envoys, on April 29, 1776, arrived at Montreal. Carrying a letter of introduction from Father Farmer, of Philadelphia, Father Carroll, on the day of his arrival, presented himself to a fellow priest, Father Pierre Floquet, by whom he was well received. The latter, because of his friendly feeling towards the colonists, and for having entertained Father Carroll was afterwards suspended by Bishop Briand. On the whole, the American priest received very little encouragement from the Canadian clergy, who looked with suspicion upon the American overtures. He could not to their satisfaction explain the colonial attitude toward the Quebec Act.

Whether or no the Quebec Act of 1774, which granted to Canadians freedom of religious worship, was one of the benefits of chance, it developed into a masterpiece of British sagacity; for it blossomed out into the old policy of *divide et impera*. Moreover, it succeeded in permanently separating the French Canadians from their English colonial neighbors. The unintentional offense to the sensitive Frenchmen of the northland by the indiscreet politico-religious utterances in the First Continental Congress were not soon to be forgotten. Consequently, in the face of these circumstances the task of the commissioners was both difficult and delicate. To aggravate matters, the continental army, already stationed on Canadian soil, had to some extent become demoralized, which fact naturally increased the suspicious attitude of these people. Hence it could hardly be expected that all of them would take on an air of enthusiasm at the proposals of the commissioners. From England they had received something, religious liberty; from the Americans came little but abuse. Still many Canadians joined the American ranks, but not as many as was expected. Two regiments were recruited among them. Of these, one was

commanded by James Livingston; the other by Colonel Moses Hazen. These were called "Congress' Own." The soldiers of these regiments rendered valuable services to the Americans while the army was in Canada, but as soon as they began their retreat many of the Canadians deserted. What remained of these two contingents later operated along the Hudson River. The chaplain of these regiments was the Reverend Father Louis Eustache Lotibiniere. This priest, comfortably established in Canada, sacrificed all in order that his countrymen might receive the benefits of religion. By joining the American army, Father Lotibiniere incurred the displeasure of his Bishop, who excommunicated him. In later years this aged priest experienced much difficulty with the American government in collecting his pension. At one time he was so reduced by poverty that he was compelled to sell part of his wearing apparel to procure food.

That the majority of the Canadians remained loyal to England must be ascribed to the influence of Jean Briand, a potent factor in Canadian politics, and then the Bishop of Quebec. This prelate not only kept inviolate the oath of allegiance that he had taken as a subject of the British Crown, but he strenuously opposed the American uprising on account, it is believed, of the colonial hostility to the passage of the Quebec Act, for as a French sympathizer he could not have been an ardent supporter of British ascendency. When England drove out of Canada the government of France she lost the affections of many of her new subjects. The bitter thought of being ruled by the age-old enemy still rankled in many a French heart. Willingly these would cast their lot with the army of invasion solely for the opportunity of striking in revenge for the overthrow of French power in Canada. But Bishop Briand chilled their vindictive ardor when he threatened to employ against them the ecclesiastical weapons, suspension and excommunication. While the episcopal mandates deterred many from joining the

American army, they served to win others. As penalty for their disobedience the latter group, until 1880, lay interred in an unconsecrated plot in the cemetery of St. Michel de Bellechase.

In their first report to Congress, the commissioners noticed the need of more soldiers, the lack of hard money, and the presence of small-pox among the troops. They wrote: "It is impossible to give you a just idea of the lowness of the Continental credit here, for the want of hard money, and the prejudice it is to our affairs. . . . The express we sent from St. John's to inform the General of our arrival there, and to request carriages for La Prairie, was stopped at the ferry till a friend passing changed a dollar bill for them into silver, and we are obliged to that friend (Mr. McCartney) (McCarty), for his engagement to pay the calashes, or they would not have come for us. The general apprehension that we shall be driven out of the Province as soon as the King's troops can arrive, concurs with the frequent breaches of promise the inhabitants have experienced, in determining them to trust our people no further. . . . Therefore till the arrival of money, it seems improper to propose the Federal Union of this Province with the others, as the few friends we have will scarce venture to exert themselves, till they see our credit recovered, and a sufficient army arrived to secure the possession of the country."[2]

Since Congress was tardy in complying with the recommendations of this first letter, the emissaries on May sixth again addressed that august assemblage, stating that "The want of money frequently constrained the commanders to have recourse to violence in providing the army with carriages, and other conveniences, which indispose and irritate the minds of the people. We have reason to conclude that the change of sentiments, which

[2] *The American Archives* (4th ser.), V, p. 1166.

we understand has taken place in this colony, is owing to the above mentioned cause, and to other arbitrary proceedings."[3]

Owing to the gallantry displayed by General Thomas in the warfare around Boston, he was ordered by Congress to take charge of the situation in Canada. In May, 1776, he arrived at the American camp, where he found himself confronted by a scene of destitution and misery. Less than two thousand of the once stalwart invaders survived, and of these half were sick and all on the verge of starvation. Within a week after the arrival of Thomas in Canada, three English ships sailed up the St. Lawrence bringing reinforcements to the British; well equipped with arms and men, the British commander, General Carleton, began the work of ridding the Dominion of American soldiers. Realizing, after a damaging attack on his outposts, that disaster was near at hand, General Thomas with his half-starved force of three hundred made a hasty retreat to the Sorel River, where temporarily he found safety. Subsequent to this incident, the commissioners in a letter to Congress recognized the futility of any further attempts on their part to win Canada over to the side of the colonists. Thereupon, Dr. Franklin and Father Carroll, on May 11th, began their homeward journey. The others still had hopes for the success of their undertaking, and so remained to see what further could be done. As conditions then stood, it would have been impossible for the American army to occupy Canada without food, money or clothing. Commissioners Chase and Carroll were reluctant to suggest a retreat until they had exhausted every measure for success. However, their final letter to Congress foreshadowed things to come. They solemnly declared: "We cannot find words strong enough to describe our miserable situation; you will have a faint idea of it, if you

[3] *Ibid.*, p. 1214.

figure to yourself an army broken and disheartened, half of it under inoculation, or under other diseases; soldiers without pay, without discipline, and altogether reduced to live from hand to mouth, depending on the scanty and precarious supplies of a few half-starved cattle, and trifling quantities of flour which have hitherto been picked up in different parts of the country."[4]

After elaborating plans for the withdrawal of the American forces from Canada, Messrs. Chase and Carroll, on June first, began their return to Philadelphia and to the Congress. This arduous journey was completed by two o'clock in the morning of June 10th. After interviewing the commissioners, Washington wrote this message to the President of the Congress: "Since I did myself the honor of writing to you yesterday, I have had the satisfaction of seeing, (and for a few minutes conversing with), Mr. Chase and Mr. Carroll, from Canada. Their account of our troops, and the situation of affairs in that department, cannot possibly surprise you more than it has done me. But I must not touch upon the subject, which you will be so well informed of from the fountain head."[5]

On the 11th of June, the two commissioners appeared before Congress, and to that body gave a detailed account of the state of the army in Canada, which was soon to be confirmed by events.

On June second, General Thomas succumbed to an attack of small-pox. Three days later General John Sullivan with three thousand of America's best infantry reached the Sorel, and took charge of the colonial army. During this interval the British were quite active. They were slowly building up a powerful offense. Each week brought them new supplies and men. Troops were coming in so rapidly that their lines were extended to within

[4] *The American Archives* (4th Ser.), VI, p. 589.
[5] *Writings of Washington* (ed. Ford), IV, p. 129.

twenty-five miles of the American camp. This uncomfortable proximity of the enemy induced General Sullivan to make a surprise attack upon the English and drive them back towards Quebec. In the slaughter that ensued, the Americans were completely routed. Making a disorderly retreat, they left behind them as prisoners of war two hundred men.

On June 14th, an English fleet carrying Carleton's army up the St. Lawrence was interpreted by Sullivan as ominous. Thereupon he speedily broke camp, and began his hurried but tactful retreat which ended at Crown Point. The hardships and sufferings undergone by the valiant men of that memorable invasion beggars description. Even after reaching Crown Point, misery was intense. As many as thirty graves were daily dug for those who survived the hardships of the march. In less than three months, more than five thousand men were lost through death or desertion. Though well conceived, the invasion had completely failed. And the failure must be attributed not to the fearless men who made up the enterprise, but in part to the indiscreet, politico-religious utterances of the members of the First Continental Congress.

CHAPTER VII

The Search for Soldiers

Prior to the outbreak of the American Revolution, the standing army and navy of Great Britain numerically was much below its wartime strength. This condition is attributed to the fact that times were peaceful, and hence a huge fighting force was unwarranted. However, before August, 1775, the need of more combatants was keenly felt throughout the realm. That these two branches of the national defense were woefully wanting in preparedness on the eve of the great conflict must not be laid at the door of the King. On the contrary, he was confirmed in his belief that a powerful military machine should be ever ready for emergencies. Previously he had contended that the fighting strength of the nation was inadequate, and to Parliament had expressed a desire for larger quotas for both departments.

As affairs then stood, it was impossible for England promptly to suppress the colonial uprising. Consequently, plans were formulated for enlarging both the army and the navy. Since the need of fighters was imperative, Ireland was designated as a fertile source of supply. Thereupon, recruiting officers were detailed to visit Munster and Connaught for the purpose of inducing young Irishmen to enter the army for duty over seas. This undertaking was not as successful as had been anticipated, because the Irish peasantry, the class from which soldiers were drawn, were satisfied with conditions in the emerald isle. They had harvested abundant crops, which naturally confirmed their content. Thus they were reluctant to enlist. Similar attempts to raise an army in England met the same fate, because the war had not yet attained to any degree of popularity among the rank and file of the people. However, both in England and Ire-

land some volunteers were procured, but the number was negligible.

Since English subjects were opposed to entering the military service, a plan for hiring foreign troops was devised by the ministry. Acting upon the advice of Sir Robert Gunning, Envoy Extraordinary to Russia, King George III sent to Empress Catherine an urgent request for troops. Being somewhat timid about handling this petition, Her Majesty had recourse to Frederick the Great of Prussia for advice. This fearless monarch, in the Seven Years' War, had assisted Great Britain in wresting from France her possessions in North America. One of the early acts of King George III was to omit payment of the annual subsidies which Parliament, under the leadership of William Pitt, had been accustomed to appropriate for Prussia. This familiar fact is noticed merely to show that the King, while not wanting in intelligence, was not unaccustomed to blunder. His policy of economy had thus lost him on the Continent a powerful friend. In view of this episode it could hardly be expected that Frederick would advise the Empress to grant the request of England's King. However, in a letter savoring of impertinence, she informed the English monarch that she was averse to letting her soldiers leave the country to fight another's battles. Relative to this reply, the King wrote to his prime minister: "The letter of the Empress is a clear refusal, and not in so genteel a manner as I should have thought might have been expected from her. She has not had the civility to answer in her own hand, and has thrown out some expressions that may be civil to a Russian ear, but certainly not to more civilized ones."[1]

Though disappointed in these quarters, the King did not despair. He knew that in Holland there was a fine brigade, the officers of which were of Scotch extraction, though not all the men were at that time recruited in

[1] de Fonblancque, *John Burgoyne*, p. 213, note.

Scotland. Desirous of procuring these sturdy warriors, the King, through his ambassador, made an attempt to have these troops transferred to the service of Great Britain. This petition having been placed for consideration before the States General, stirred up in that body a whirlwind of opposition in the debate that followed. "It was opposed on the practical ground that a commercial state should never, except from necessity, become involved in any quarrel; and by the historical argument that the Dutch, who owed their national existence to what in its day had been termed a rebellion, should be chary of helping to subdue a people who possibly were as brave, and as ardent for liberty, as their own forefathers. The States General agreed to send the Scotch brigade across to England on the condition that it should not be employed outside of Europe."[2] This reply the Hague designed as a refusal; Whitehall construed it as such.

As a result of these failures, the impatient King sought more promising recruiting grounds. To the profligate Duke of Brunswick, his brother-in-law, a petition for soldiers was then made. With little regard for the welfare of his subjects, and a tendency to dissipation, this vacillating Prince yielded to the force of English gold. For money he was ready to barter the blood of his people. This greedy ruler agreed to provide England with four thousand infantry and three thousand dismounted dragoons. As recompense the Duke was to receive fifteen thousand pounds a year from the English treasury, which amount was to be doubled for two years after the return of the troops. The soldiers themselves were to receive the same pay as the British soldiers. When these negotiations were concluded, the Brunswick government immediately inaugurated a rigorous system of conscription. The quotas thus obtained were not the best, be-

[2] Trevelyan, Sir G. O., *op. cit.*, Part II, I, p. 41.

cause the extremes of age were found in their ranks. Former soldiers were drafted, while retired officers were forced to re-enter the army under threat of forfeiting their half-pay. Conceded to be unfit for ordinary military service, these unfortunate individuals, not without protest, were forced by their ruler to fight for a cause in which they had no interest.

English money was being so lavishly expended for hiring soldiers that other hardened Highnesses of Germany fell victims to the lure of the pound sterling. From the Elbe, the Danube, and the Rhine came offers to sell soldiers into military slavery. Burke picturesquely declares that, "They snuffed the cadaverous taint of lucrative war; and the sky above the British treasury was soon alive with royal vultures." [3]

A proposal as ludicrous as it was pathetic came from the Prince of Waldeck. This designing ruler maintained that he was willing to sacrifice himself and six hundred of his men in the English cause. Yet, while these hapless soldiers were being mowed down by colonial marksmen, he was making the ridiculous sacrifice of receiving five thousand pounds of blood money every year that his men were in the conflict. A similar offer, made by another potentate, was rejected by England on the ground that his soldiers were the worst in Germany. The most profitable bargain was that made by the Landgrave of Hesse. His contract called for furnishing England with twelve thousand foot soldiers, and thirty-two pieces of cannon. Over and above the actual pay and expenses of these troops he insisted that Great Britain remunerate his government to the extent of paying a double subsidy of a hundred and ten thousand pounds a year. As clear profit this money was deposited in the Hessian treasury. This subsidy was not to cease until one year after the troops should have been returned to their native land. This inequitable transaction attracted so much attention

[3] Trevelyan, Sir G. O., *op. cit.*, Part II, I, p. 43.

that the name Hessian was applied alike to all German soldiers who participated in the American war. Like the army of the Duke of Brunswick, the Hessian aggregation was mostly made up of conscripts. In brief, the country was bled white in order to supply the Landgrave's demand for soldiers. Some regiments were efficient; these were in the minority.

It was with a heavy heart that these simple folk left their homes and hearths to venture beyond the sea, for a war in which they had no interest. This selling of soldiers into military servitude is only one illustration of the insignificance at that time of the subject of King, or Duke or Grand Duke. As against their petty rulers they had few or no rights. Frederick the Great, of Prussia, was so disgusted with the whole procedure that he issued orders to his custom-house officials to levy a tax on any of these soldiers who should happen to pass through his territory. Though this made more difficult the work of recruiting in that part of Europe, the King's regulations were not entirely effective.

Surprise and indignation permeated the colonists when it was definitely learned that King George was sending foreign troops to America to put down the uprising. The rebellion was considered by them a civil war. Hence Englishmen on both sides of the Atlantic strongly resented the idea of foreign interference. The profuse spending of English money on an undertaking so contemptible was everywhere condemned as outrageous. On this particular event the historian Lecky writes:

"The conduct of England in hiring German mercenaries to subdue the essentially English population beyond the Atlantic made reconciliation hopeless and the Declaration of Independence inevitable. It was idle for the Americans to have any further scruple about calling in foreigners to assist them when England herself set the Example." [4]

[4] *A History of England in the Eighteenth Century*, III, p. 498.

CHAPTER VIII

Schuyler and Gates

No account of the American Revolution would be either accurate or complete that aimed at covering up the intrigues, the mutual distrusts, and the selfishness of certain leaders. Such attempts, shocking to later generations tend, when fully understood, to magnify the results of America's great undertaking. To leave the average person under the impression that none of the American officers were affected by self-interest or corruption, is to distort fact, and unduly to compliment human nature. That Americans won the day in desperate conflicts, despite the fact that disloyalty was not uncommon redounds to the eternal glory of the men who did the fighting. A rapid glance at the characters of Schuyler and Gates is at once interesting and instructive.

While the destiny of America was trembling in the balance, the politicians in Congress were, amidst much ill-feeling, squabbling over the right to appoint and to remove generals, and thus to control the conduct of the war. That these disagreeable and unedifying controversies were finally set at rest is primarily due to the forbearance, the tact, and the achievements of the Commander-in-Chief, George Washington. Too strongly entrenched in the hearts of his countrymen to be personally attacked by fault-finders in Congress, Washington did, however, feel the sting of innuendo, and the embarrassment of intrigue. In the main the shafts of criticism were directed at a more defenseless, yet hardly less worthy head. Major General Philip Schuyler was, from its beginning, the Commander of the Northern military department with its capital at Albany. Though less able, and less experienced than Washington, he was as upright and industrious in his country's cause as even the Com-

mander-in-chief. After the colonists had gained their brilliant victory on the shores of Lake George, September, 1758, Schuyler was sent home in charge of the French prisoners. Following the severe defeat of General Abercromby at Ticonderoga, he was delegated to take the body of Viscount Howe, killed in that engagement, to Albany for burial. In early life his health began to fail. Consequently when the Revolution broke out he was unable to assume the burdens of an active field officer, but at certain intervals, when health permitted he did participate in troop movements and in fighting. Of him the historian Trevelyan touchingly observes, "Schuyler loved his country sincerely and singly, and he gave her the whole of his time and strength, besides great quantities of his money, and, for many years together, all his peace of mind and happiness. He was fiercely calumniated while alive, and since his death he has met with some unfair treatment at the hands of historians; but his good fame has survived all assaults, whether contemporaneous or posthumous; and he now is almost universally recognized as an honest and devoted friend of America."[1]

Unfortunately Schuyler before the Revolution had played an important rôle in the controversy between New York and Massachusetts over the New Hampshire Grants, now the State of Vermont. His activities in that dispute earned for him the undying antipathy of the Massachusetts people. When the war came on, these embers of hatred were soon fanned into a flame that burned briskly. This unpopularity was felt in Schuyler's ranks, which were mostly made up of Connecticut and Massachusetts men. His lot was not pleasant. The soldiers assumed toward him an attitude of superiority. They regarded him as a slow-witted Dutchman. On the other hand, he held them in contempt as miserable soldiers. This condition soon began to produce its effect

[1] *The American Revolution*, Part III, p. 91.

upon General Schuyler, who readily turned to General Washington for advice and consolation. He could have conferred with no more reliable a personage for direction, because the Commander-in-chief had himself felt only too often, the stings of criticism. The advice and comfort which Washington readily gave proved a boon to Schuyler in his anxieties. Though the obdurate and contrary actions of the soldiers caused him great pain, it was inconsiderable when compared to what certain New England politicians, in Congress, by their detractions inflicted upon him. These delegates masked their designs against General Schuyler by the pretense of acting for the common good. In reality they were appeasing their wrath for the offense he had given Massachusetts in the controversy that arose over the settlement of the territory now known as Vermont. If General Schuyler is to be deposed, another must be elevated in rank to supersede him. They were not long in finding an instrument for their machinations. The choice fell upon Horatio Gates, a mischievous person with a fondness for intrigue and a talent for misrepresentation. Though seldom at his post, he was the commander of the garrison at Ticonderoga. Endowed with the faculty of ingratiating himself with persons, Gates could easily advance in any profession where progress depended upon favors. He was "Comely in person, mild in disposition, and courteous in manner, except when roused to anger or influenced by spite, when he sometimes became very violent. He never gave evidence either of skill or bravery; and in taking part in the war his only solicitude seems to have been for his own personal advancement."[2]

Much of his military career was passed in lobbying in the halls of Congress. Fortunate it was for America that not many such leaders wore the continental uniform. Outstanding examples of bravery and daring character-

[2] Fiske, J., *The American Revolution*, I, p. 255.

ized the majority of American Generals, nor was bravery inconspicuous among the British. Generals Washington, Stark and Arnold were always in the thickest of the fighting, Gates never. During the early days of the Revolution, Gates was adjutant in the camp at Cambridge, Massachusetts. While stationed there, he formed profitable acquaintances with many New England politicians. In June, 1776, after Congress promoted him to the rank of Major-General, he was sent to the Northern division to serve under General Schuyler. On becoming established at his new post, he discovered the estranged relations existing between Schuyler and his men. Seeing in this state of affairs an opportunity for advancement, he began to undermine the insecure reputation of his superior officer. For three months he poured a steady stream of letters upon the New England politicians in Congress belittling the ability of the man he was detailed to serve. He, at the same time, exaggerated his own achievements as a soldier and stressed the fact that he was immensely popular with the New England soldiers of Schuyler's army.

When the frigid air of November was permeating the northern climate, General Gates obtained leave of absence on the plea of impaired health, and forthwith went to balmy Baltimore, where Congress was in session. *En route* to the Maryland city, he visited Washington's camp on the Delaware. The Commander-in-chief welcomed him with outstretched arms. Since General Washington was preparing to make an attack on the Hessians, he incidently offered his distinguished guest the honor of leading against the foe the right hand column of his army. General Gates declined. Instead he set out on his way to Baltimore to stage a less perilous battle with Congress, not for his country but for his own interests. Two months later Congress moved to Philadelphia, whither he followed. In both cities he desperately labored and in

the end successfully; for Congress passed a resolution giving him full and independent command over the field army at Ticonderoga.

General Schuyler resented this action of Congress as a wanton attack upon his reputation, and a condemnation of both his policy and ability. This attitude was shared by his friends. The loyal natives of his state, at the New York Convention, immediately elected him a delegate to Congress. While a member of that body he succeeded in getting a hearing which led to his vindication and reinstatement. Having been reinvested with full military authority over the Northern department, he speedily returned to his post and resumed command. However, six valuable months had been wasted in straightening out the tangle caused by General Gates and the New England politicians.

When informed that Congress *rescinded* its previous orders to him, General Gates was at Albany. Enraged at this latest act of Congress he hastily returned to Philadelphia to castigate his political supporters. With the enemy near at hand, Gates left the nation to defend itself as best it could. His pride had been injured, the reparation of which was to him the more important. In all fairness it must be stated, that then as now Congress has had its short-sighted individuals sufficient in number to thwart the best interests of the nation. On the other hand, it comprised then as earlier men of sterling character whose loyalty is beyond question.

CHAPTER IX

Burgoyne's Army

Complacently ignoring Sir William Howe's request for fifteen thousand additional soldiers considered necessary to crush the life out of rebellion in the colonies, Lord George Germaine, Secretary of the colonies, responded by sending out two thousand nine hundred men. In addition to this serious mistake, he conceived a threefold plan of campaign, thoroughly feasible when worked out on paper, but astoundingly foolish when viewed from the standpoint of the obstacles to be surmounted in reaching the objective. The plan was ambitious in the extreme. It provided that an army made up of Tories and Indians, under the command of Colonel Barry St. Leger, was to march down the Mohawk valley from the west. The main division to traverse the Lakes, and join the army of Sir William Howe as it came northward towards Albany. At Albany all three columns would converge upon the Americans, taking them in front, flank, and rear. Thus the British would gain control of the Hudson River, and thereby separate all New England from the rest of the insurgent colonies. That the British war office had forgotten the lesson taught to it by Braddock's defeat twenty years earlier is evident.

At the time these plans were completed Burgoyne was in England on a visit from Canada. Since Sir Guy Carleton, Governor of Canada, an able soldier and tactician, was not in the good graces of Lord George Germaine, the latter selected General Burgoyne to execute these wild designs. This new field commander-in-chief was not without marked ability. He was highly efficient in military tactics, and well esteemed by his subordinates. At all events his selection was intended as a slight upon Governor Carleton, who had earned the con-

tempt of the secretary of the colonies. However, Sir Guy bore the affront in a diplomatic and soldier-like manner. The King having refused to accept his resignation from the army, he did the next best thing. A thing that has never failed to enhance his sterling qualities in the eyes of subsequent historians. He uncomplainingly submitted to the undeserved humiliation, and did all in his power to render successful Burgoyne's treacherous travel through an almost impenetrable wilderness.

The division conducted by General Burgoyne was heterogenous in make-up. Four thousand of his army were well trained, well equipped, and well seasoned British veterans of previous wars. Few Canadians were found in the ranks, and fewer still manifested any enthusiasm about joining. Of the German mercenaries, chiefly Brunswickers, there were more than three thousand under the paternal guidance of that excellent officer, Baron Friedrich Adolph von Riedesel. Commonly pronounced "Red Hazel" by the British soldiers. This able general was a Hessian by birth. From early youth he had been trained in the arts of war. The bulk of his division, however, was not made up of seasoned fighters like himself but of half grown boys and elderly civilians. His subordinate officials were former military officers who had been forced out of retirement, and sold into military bondage by their Duke. Afflicted with homesickness the greater part of the time, these reluctant and disinterested soldiers, as subsequent events have shown, were not the most dependable staff for General Burgoyne to lean upon in his hour of distress. A keener vision would have convinced him that they would be likely to prove a brittle reed.

There was another element in this cosmopolitan army, the selection of which gives one some idea of the spirit of revenge gnawing at the heart of the British ministry in its designs of subjugating the Americans.

The Indians.

It was unfortunate that in spite of Governor Guy Carleton's earnest and reiterated protests, the British cabinet insisted that Indians should accompany the invading army. Motivated solely by a desire to procure as much rum as they cared to drink, and by the ambition to add scalps to the decorations if their wigwams, five hundred Indians with their bodies hideously painted, joined the army of General Burgoyne.

This employment of the savage can never be condoned. Conceived as it was in the spirit of revenge, it produced in the hearts of the Sons of Liberty and their posterity a hatred of England that generations have failed completely to efface. The British army would have fared better without these copper-colored adjuncts, because the strength, at best questionable, added by their presence was more than counterbalanced by the desperate resistance which they aroused. The knowledge that paid German soldiers and hostile Indians were marching with Burgoyne was a strong motive for drawing the peaceful New Englander into the field of battle and firing him with unsurpassed resolution. Burgoyne himself was soon made aware that instead of being a help to him, the Indians were a nuisance and a burden. When fighting was most evident, this roamer of the woodland was conspicious by his absence, but when the din of battle subsided he reappeared to gather scalps, the spoils of war.

Burgoyne was elated at the presence of the Indians in his ranks. He knew of their savage deeds in former campaigns, and made no attempt to conceal them. The early history of the colonies is filled with tales of Indian outrage. Their raids were marked not only by the murder of defenseless men, women and children, but oftentimes by their multilation. A realization of the fear which the colonists had of these barbarians enables one

to understand the real significance of those words penned from his prison in Halifax to the Connecticut Assembly by Ethan Allen: "Never had any people on earth greater inducement to fight and play man. You cannot—nay, you must not, give over the cause, though you have to wade through seas of blood".[1] If social, political, and economic causes started the American Revolution, the dread of Indian outrage did not weaken the resolution that carried it to a successful conclusion.

When the invading army had crossed the Canadian frontier on its southward march, General Burgoyne, on June 23, 1777, gave orders to halt. Then he pompously eulogized his copper-colored auxiliaries. In the course of his grandiloquent address he told them of the respect and gratitude which King George had for them and for their achievements. Likewise the British leader promised that he and his men would endeavor to imitate their manly military virtues. He gave them full permission to take the scalps of the dead, but warned them not to use the knife or the tomahawk on the wounded, the dying, nor upon defenseless men, women, or children. This monstrous address was ended with the exclamation, "Warriors! you are free! Go forth in the might and valor of your cause! Strike at the common enemy of Great Britain and America—the disturbers of the public order, peace, and happiness; the destroyers of commerce; the parricides of State!"[2] To these words of adulation and encouragement a stately old Iroquois chief arose and in a dignified manner lauded the appearance of the British army and assured Burgoyne and those assembled that his men were ready for the fray. Their filial affection for Great Britain was, he declared, the whetstone on which their hatchets had been sharpened.

When the news of these proceedings reached England,

[1] *The American Archives* (5th Ser.), VI, p. 860.

[2] Burgoyne, J., *State of the Expedition*, Appendix, 12, No. 6.

it produced a disagreeable effect on London society. The people at large condemned as cruel and inhuman the government's policy of employing an ally whose remuneration could be expressed in terms of rum and scalps. Though the English people did not cherish the idea of losing the colonies, they were averse to hiring the Indians, and did not assent to this scheme as a method of keeping them in the Empire. The speech of Burgoyne was condemned in every quarter of society. In Parliament it was violently denounced. In the House of Commons, Edmund Burke exclaimed: "Suppose," said he, "that there is a riot in Tower Hill. What would the keeper of His Majesty's lions do? Would he not fling open the dens of the wild beasts, and then address them thus? My gentle lions, my humane bears, my tender-hearted hyenas, go forth! But I exhort you, as you are Christians and members of civilized society, to take care not to hurt any man, woman, or child!"[3] This fine irony sent a wave of laughter through the House of Commons. Lord North, responsible for hiring the Indians, heard this speech of Burke's and chuckled with glee. However, it soon ceased to be a matter for laughing; for while stationed at Fort Edward, Burgoyne's Indians became mischievous. The crimes of the Indians, which were committed against patriot and loyalist alike, embittered the yeomanry, with the result that the whole countryside arose against the invaders. One pathetic incident keenly fresh in the minds of the people and now commemorated in song and story was the lamentable fate of Jenny McCrea. This comely young lady was the daughter of a Scottish clergyman, who died before the Revolution. One day while visiting a Mrs. McNiel, a loyalist and relative of the British General Fraser, a marauding band of Indians broke into the house and carried off the two ladies. In the confusion that followed

[3] *De Fonblanque,* op. cit., p. 243.

the band of savages became scattered and Mrs. McNiel alone was carried into the ranks of the approaching army. On the following day a sachem, known as the Wyandot Panther, appeared in camp with a scalp dangling from his massive tanned hand. Mrs. McNiel recognized the beautiful tresses as those of Jenny McCrea. A successful search for the young lady discovered the horribly mangled body of the unfortunate maiden lying near a spring in the forest. How she met her death will never be known. But the knowledge of that hideous act served to intensify colonial hatred.

On hearing of this shocking tragedy, and realizing his own helplessness in the situation, in regard to punishing the perpetrators, Burgoyne gave orders that in the future all Indian raids should be carried out under the direction and supervision of British officers. As this regulation did not keenly appeal to the savages, in a few days five hundred of them deserted the army, and went off into the Adirondack wilderness. This defection of his Indians left Burgoyne without scouts or guides in the dense forest that surrounded him. This may be considered the first serious reverse of the invader.

As time wore on, the fate of Jenny McCrea passed from mouth to mouth until it became a watchword among the yeomanry of northern New York, of Vermont, and of Massachusetts, thus begetting a general desire for revenge.

CHAPTER X

Ticonderoga, 1777

While General Gates was commending himself to members of Congress in the pleasant climate of Baltimore, his soldiers were suffering untold hardships on the wintry shores of Lake Champlain. The dreadful smallpox which thinned the ranks of the Americans during their invasion of Canada was still taking its toll of lives. In all quarters dysentery was prevalent. Under these conditions an attack of pneumonia was frequently fatal. The fortunes of war were at a low ebb. Money was scarce, and ammunition not abundant. The unfortunate men of Ticonderoga, left without a champion of their interest during the absence of Gates, had "Nothing but flour and bad beef, with no beds or bedding for the sick to lie on or under, other than their own clothes."[1] Thus wrote Colonel Anthony Wayne to the Council of Safety of Pennsylvania on December 4, 1776. Ten days later he informed that same body that, "Death is daily making dreadful havock amongst us Pennsylvanians. I have buried out of my own regiment, since you left this ground upwards of fifty men."[2]

Since the quartermaster's department issued but nine hundred pairs of shoes to this little army, one-third of the men were from necessity compelled to do duty barefoot while the thermometer hovered below zero. "It cannot be viewed in a milder light than black murder. The poor creatures are now, what's left alive, laying on the cold ground in poor thin tents, and some not at all, and many down with pleurisy. I paid a visit to the sick yesterday to a small house called the hospital. The first

[1] *Pennsylvania Archives* (5th Ser.), II, p. 91; *ibid.*, III, p. 1359.
[2] Trevelyan, Sir G. O., *op. cit.*, Part III, p. 97, note.

object presented to my eyes was one man lying dead at the door; then, inside, two more dead, with two living between them."[3]

Throughout that dreary winter conditions remained unimproved. The need of more food, of medicine and of clothing was bitterly felt by the dwindling army that had weathered two severe winters, as well as a series of deadly epidemics. Had General Gates remained at his post, the hardships of the Ticonderoga men would have been greatly diminished. However, after being reinstated, Schuyler made heroic attempts to ameliorate the conditions that were allowed to develop during Gates's ascendency. But it was too late fully to repair the mischief of this self-seeking individual; for, on June 15, Schuyler learned from a captured British spy that Burgoyne's army was assembled on the frontier, and that Seneca Indians and Tory patriots were gathering at the springs of the Mohawk River. The task of defending Ticonderoga fell to Schuyler's most competent brigadier, Major General St. Clair. The feeble garrison, together with a blunder of Gates, made this stronghold untenable. Nevertheless, General St. Clair with three thousand men assumed the responsibility of defending Ticonderoga, while the western world eagerly awaited the outcome of the approaching battle.

Much needless energy was expended in strengthening the defenses of this historic fortress. Directly opposite, on the eastern bank of Lake Champlain, an elaborate citadel was erected by the Americans, and by them christened "Fort Independence." Sugar Hill, a rugged acclivity which rose out of the water about six hundred feet, was by the Americans deemed of little importance and, therefore, left unguarded.

The quick eye of General Philips saw the value of this undefended promontory, and soon the British with might

[3] *American Archives* (5th Ser.), III, p. 1358.

and main were stealthily and steadily working night and day dragging cannon over the broken rocks and through the matted jungle that clothed the sides of this miniature mountain. Intoxicated with the success of this hazardous undertaking, the British gave to Sugar Hill the name of Mount Defiance, by which it is still known.

Ignorant of what was taking place on Mount Defiance, General St. Clair was impatiently awaiting the British to make their threatened attack upon his stronghold. From his secure entrenchments, he felt confident that he would be able to drive the enemy from the field. To his utter surprise, however, he was called from his quarters at dawn on the fifth of July only to behold the undefended promontory swarming with red coats, and glittering with siege guns, whose muzzles were protruding over the crest of what was formerly Sugar Hill. Fully realizing that his own position had become untenable, as the English guns were pointing toward his position, and fearing to do anything that would cause them to suspect that he was abandoning Ticonderoga, St. Clair deferred all activity till night. Every happening in the American camp was visible to the vigilant enemy, consequently the entire day was spent in anxious idleness. When night came on, St. Clair and his soldiers with astonishing rapidity evacuated the fort. Uniting with the garrison at Fort Independence, the two contingents hurriedly retreated to Hubbardstown, almost twenty miles south of Ticonderoga. When morning broke the English were quick to discover that Ticonderoga was unoccupied. They lost no time in preparing to give chase. The huge mass of cumbrous impediments which the Americans had constructed in the channel between Forts Ticonderoga and Independence was quickly demolished by the British seamen. The passage being freed from its obstruction, two enemy ships sailed through the opening, and by three o'clock in the afternoon overtook the heavily provisioned

crafts of the fleeing Americans. Two of the barges were captured, while the others were destroyed as they lay at anchor at South Bay. Before taking to the woods, the American soldiers set fire to their collection of stores, a saw-mill as well as the forges and repair sheds. The leaping flames soon spread to the forests, and the entire surroundings took on the appearance of a devasting conflagration. "There have been grander fleets and more extensive naval establishments than those by means of which Congress disputed the Mastery of Lake Champlain; but none ever perished in more picturesque and complete destruction.[4]

While this catastrophe was happening to the American naval armament the British land forces were equally active. General Fraser had speedily collected his men, crossed the Lake and took possession of Ticonderoga. From its ramparts the British colors were soon unfurled. The invading General did not long tarry, but leaving one thousand men to garrison the fort, quickly started southward in pursuit of the retiring Americans. A forced march of one day, in a broiling sun, brought him to Hubbardstown, where a strong rear guard had been left by St. Clair to check the progress of the enemy. Though outnumbered, General Fraser at five o'clock the next morning attacked the colonial troops. The battle that ensued was hot and for a time equal, both sides suffering heavy losses. The timely arrival of a few companies of Hessians and Brunswickers under the command of General Riedesel soon turned the tide of battle in favor of the British. The American line of defense wavered, broke, and the soldiers hastily retreated, leaving about three hundred of their comrades dead upon the field of battle. The British losses were estimated at one hundred fifty men killed or wounded, among whom were twenty officers. But more discouraging events were yet to come,

[4] Trevelyan, Sir G. O., *op. cit.*, Part III, p. 105.

for within the next three days Burgoyne had seized one hundred eighty cannon, great stores of provisions, large herds of cattle, and considerable ammunition.

When St. Clair joined General Schuyler at Fort Edward, he became aware that many of his tattered militiamen had deserted during the retreat. With the fortunes of war extremely discouraging to the cause of independence, several New England regiments took advantage of the expiration of their terms of enlistment to return home.

The news of these lamentable happenings was hastily carried to England, where Burgoyne was hailed the man of the hour, the Julius Caesar of the American Revolution, the Savior of the Empire. So deeply did his achievements take hold of the English imagination that betting changed from even to a five-to-one against recognizing American independence. The country gentlemen in the House of Commons were now ready to appropriate large sums of money to enable the government to strike one effective blow that would end the controversy and compel the unruly colonists to submit to taxation by Parliament. Thus far the threefold plan of campaign conceived by Lord George Germaine was a success. It begot new hope in the breasts of loyalists. Rejoicing over the good tidings from America, the King is said to have rushed into his wife's room crying out that he had beaten all the Americans. Burgoyne's achievement had earned for him a Knight Commandership of the Bath.

CHAPTER XI

Fort Edward and Bennington, 1777

If the externals of Schuyler's army formed a criterion of what the future had in store for him, then Burgoyne's anticipation of a triumphal march into Albany was well established. Massachusetts, his main source of strength, failed him at the critical moment. Of the twelve hundred men that one county had sent, nine hundred repaired to their homes, spreading dissension and panic through their native villages and towns. Another county dispatched five hundred men to Schuyler's aid, but only about sixty remained to fight. Half of these were officers. Thus what was formerly an imposing army of three thousand men had been reduced to half its size. Those who remained to fight had practical reasons for so doing. Their province presently became the seat of war. Hence both their presence and assistance in repelling the enemy was indispensable. Everything was lacking in the army except Schuyler. The dire need of tents, of provisions, of powder and of cannon was sufficient to cause a less dauntless character than Schuyler to doubt everything except failure. Realizing that the central government was rapidly heading towards bankruptcy, this stalwart leader employed his own wealth and that of his neighborhood in furnishing his soldiers with food, clothing and arms, all desperately needed. This spirit of altruism was likewise shared in by Governor George Clinton, of New York, by General Washington and by the colonial assemblies of New England. The time spent in waiting for succor was not unimproved. Intimately knowing the character of the locality in which he was now stationed, Schuyler carefully and cleverly laid plans to check Burgoyne. The sheep and the cattle of the neigh-

boring farmers he drove off. He carted away or destroyed the growing crops that lay within reach of the enemy. Some of the men were put to work as scouts and sentries, while others were made to wield the spade or the axe. Even those who were employed on his own estate did not escape his edict of labor; for these were compelled to lend a helping hand in the work of destroying everything that might be of assistance to the approaching enemy. With marvelous speed the roads were torn up. The waterways along which Burgoyne's army would pass were chock-full of debris. In this hurricane of destruction, Schuyler gave all his material resources to his country's cause, and in return was made the object of congressional malice. With the work of destruction complete the American forces slowly moved towards Stillwater, on the west bank of the Hudson just north of Saratoga. Despite the criticism of his political enemies, Schuyler's decision to destroy and abandon Fort Edward was farsighted and correct; for to engage the enemy there would have been suicidal. Had Schuyler remained at Fort Edward, it is extremely probable that an army of five hundred men and four siege guns would be all that would be necessary to force the Americans to surrender, for this open field was commanded by highlands. Since his political enemies did not realize this, they could not appreciate the real significance of his movements, but no information is needed by fault-finders. Consequently a violent storm of misrepresentation broke over Schuyler's head, and for a while furiously raged. So calm and so sagacious an observer as John Adams said, when he heard the bad news about Ticonderoga, that "his countrymen would never successfully defend a post until they had shot a general."[1]

Schuyler's enemies in Congress seized this occasion to end his career, and retire him with dishonor. But Wash-

[1] *Letters of John Adams*, I, p. 245.

ington was, as always, calm and prudent, and with deep confidence in the rectitude of Schuyler's manoeuvers, lost no time in coming to the aid of his sorely tried colleague, for he wrote to him: "Though our affairs, for some days past, have worn a dark and gloomy aspect, I yet look forward to a fortunate and happy change. I trust General Burgoyne's army will meet sooner or later an effectual check, and, as I suggested before, that the successes he has had will precipitate his ruin."[2]

Washington lost no time in sending assistance to his esteemed comrades in arms. Although daily expecting Sir William Howe to attack him, the Commander-in-chief nobly supplied Schuyler with a division of his own men and a generous part of his own equipment. He quickly dispatched to the leader of the northern division ten field guns, sixty barrels of powder, with a corresponding amount of lead, and all the musket cartridges available. In addition to this, he sent two small brigades of seasoned warriors, among which were found Colonel Glover's brave fishermen from Marblehead, and the battalion that Rufus Putnam had developed into a corps of rough-and-ready artificers. Washington's early military experience was garnered in the wilderness of the Ohio, and he well knew that the men he was sending would be invaluable to Schuyler in the forest warfare that lay before him. The men under Putnam and Glover could construct bridges and build breastworks rapidly, and out of crude materials. While these reinforcements were on the road to Albany, Washington also sent Benedict Arnold, an alert and capable fighter, who readily would supply any deficiencies that might result from Schuyler's ill-health or want of martial genius. One thing was certain, at that stage of his career Arnold could be depended upon to take orders from his superior officer, and fearlessly to put those orders into execution.

[2] Ford, W. C., *Writings of George Washington*, V, p. 504; Sparks, J., *Writings of George Washington*, IV, p. 503.

The wisdom of Schuyler's retreat from Fort Edward was unquestionable, though from many quarters it did not escape severe criticism. When the British took possession of Ticonderoga they impaired their fighting strength, for an eighth part of Burgoyne's army was detailed to garrison it. As he advanced into the interior, his line of communications lengthened. This danger must be guarded against at all costs. Hence to protect his whole line he stationed men at various intervals. Thus at a time when he could ill afford to weaken his communications, Burgoyne by the force of circumstances was compelled to thin his ranks. The distance to be traversed and the difficulties which actually beset him were obstacles in the path of success that Lord George Germaine seems not to have considered. In the course of his retreat, General Schuyler obstructed the rough, winding ways of the forest with boughs artfully interwoven lain athwart road and stream to impede the progress of the invader. The creeks, abundant in that locality, were so filled with fallen trees as to cause an inundation of the low lands that made travel almost impossible. More than fifty bridges had been demolished by Schuyler's troops, injuries further assuring the slow pursuit of a confident enemy.

On the tenth of July the British columns reached Skenesborough, now Whitehall, at the head of Lake Champlain. So complete were the obstructions that Burgoyne's army by dint of incessant toil succeeded in reaching Fort Edward only on the 30th of July. The advance had consumed thirty days. One mile a day was the army's average march. At Fort Edward, a fort in name only, Burgoyne discovered that he was as far from the retiring Americans as ever, and still farther removed from his base of supplies. In the meantime the Americans had retreated to Fort George, while a thousand of Schuyler's men made impassable the connecting roads. By almost superhuman effort, General Philips succeeded

in clearing these roads of their fallen trees and boulders, and throwing two bridges across the broad and deep streams that separated the British camp from Albany. Here in unfamiliar and hostile territory, with dwindling rations, General Burgoyne, at the suggestion of the misinformed Major Skene, a Loyalist, resolved to seek assistance in Vermont, which was erroneously deemed a Loyalist stronghold.

The peaceful village of Bennington, snugly nestled at the foot of the Green Mountains, was a New England depot of military supplies. Horses, food, and ammunition so greatly needed by the invading army were assembled there in abundance. The town itself was, both by General Skene, and General Burgoyne, considered a Loyalist settlement. Consequently to gain possession of these stores would be neither difficult nor dangerous for the British. The inhabitants would doubtless aid the invaders in plundering the American commissary, and thereby paralyze the movements of General Lincoln, who commanded a small force at Manchester, Vermont. These deductions were not more sound than were the plans of Lord George Germaine. Accordingly on August 13th, with a band of one hundred Indians, five hundred of Riedesel's men and two field pieces, Colonel Baum was sent to Bennington to capture the coveted stores and to win the assistance of the supposed Loyalists.

The people of the New Hampshire Grants were not unacquainted with the movements of General Burgoyne's army. A petition for assistance sent by their Committee of Safety to New Hampshire caused a hurried convention of the General Assembly at Exeter, in that State. On that occasion John Langdon delivered to the members of the legislature this spirited address: "I have," he said, "three thousand dollars in hard money. I will pledge my plate for three thousand more. I have seventy hogsheads of Tobago rum, which shall be sold for the

most it will bring. These are at the service of the State. If we succeed in defending our homes, I may be remunerated; if we do not, the property will be of no value to me. Our old friend Stark, who so nobly sustained the honor of our State at Bunker's Hill, may be safely intrusted with the conduct of the enterprise, and we will check the progress of Burgoyne." [3]

Thus, independent of the assistance from the central government, this little community under its tried leader proceeded to wage war upon General Burgoyne and his army. A day was set apart for prayer and fasting. The Tories or Loyalists were disarmed. General John Stark, who had rendered valuable services to his country at Boston, at Trenton, and at Princeton, came out of the retirement to which he had gone as a result of slights received from Congress. He was now placed in supreme command for the defense of Bennington. Ignoring Schuyler's orders to repair to Stillwater, General Stark with his two brigades of minutemen gathered from the countryside, pushed on to Bennington. This attitude of the New Hampshire leader provoked the indignation of Congress, who labeled it as "destructive of military subordination, and highly prejudicial to the common cause." [4] Coming events were destined to comment upon that reprimand. General Lincoln, who had been appointed by Congress to command in the Hampshire Grants, assisted General Stark by turning over to him the remnant of Seth Warner's valiant fighters. Warner's men, called the "Green Mountain Boys," had covered themselves with glory in the early fighting at Ticonderoga and at Hubbardstown. Now that their families were exposed to the knife and the tomahawk, they could be depended upon to fight with even greater resolution.

[3] Lossing, B. J., *Field Book of the Revolution*, I, p. 393.
[4] *Journal of Continental Congress*, VIII, p. 656.

With high hopes of success, Colonel Baum and his six hundred German and Indian followers began their march toward Bennington. The accompanying Indians indiscriminately plundered Tory and patriot. As they grazed in the pastures, herds of fine cattle were wantonly slaughtered by the savage allies of the British. Aroused by the hostile demeanor of the country folk, and learning that the Americans were gathering in large numbers at Bennington, six or seven miles farther south, Colonel Baum brought his army to a sudden halt, while he sent back a request for reinforcements. While awaiting the arrival of additional troops, Colonel Baum and his men took position on an elevation overlooking the small Walloomsac River, where he began to surround his encampment with substantial earthworks. Immediately upon the receipt of his petition, General Burgoyne sent to the rescue a force of five hundred Germans and two field pieces under the command of Lieutenant Colonel Breyman.

After arranging with Seth Warner's regiment to meet him at the proposed scene of encounter, General Stark, anxious for a fight, marched his eight hundred New Hampshire volunteers into the neighborhood of the enemy's camp. During the night of August 15, 1777, a detachment of militia from the Berkshires, of Massachusetts, headed by a parson, the Reverend Mr. Allen, of Pittsfield, in a downpour of rain came to Stark's assistance. Approaching General Stark, this gentleman said: "Colonel, our Berkshire people have been often called out to no purpose, and if you don't let them fight now they will never turn out again." "Well," said Stark, "would you have us turn out now, while it is pitch dark and raining buckets?" "No, not just this minute," replied the minister. "Then," said the doughty Stark "as soon as the Lord shall once more send us sunshine, if I

don't give you fighting enough, I'll never ask you to come out again." [5]

The next day broke bright and fair. Throughout the morning small bands of yeomanry attired in their rustic blue frocks were nonchalantly moving towards the rear of the enemy. Colonel Baum was not disturbed at the sight of this warlike manoeuvering. He was laboring under the impression that these small bands, visible in the distance, were not enemies but Loyalists whom he had been warned by Burgoyne to receive with open arms. He therefore thought they were naturally stealing away from the Americans, and coming to join his army. In the early afternoon of that sultry dog-day, Colonel Baum was painfully undeceived. A deadly fire was poured in upon his men from flanks and rear by those whom he thought were skulking Loyalists. General Stark with five hundred more men assaulted the enemy in the front. The Indians, as was their custom when imperiled, scampered off into the woods and disappeared. The Germans fought desperately, but unavailingly. Two hours later, deprived of their leader, who fell in battle, what remained of the enemy forces was effectively surrounded and captured. Victory was not yet clinched. While the colonials were gathering the spoils of victory, Lieutenant Colonel Breyman with his relief corps appeared upon the scene and gave battle to Stark and his patriots. Simultaneously with the arrival of Breyman, General Seth Warner with his contingent of five hundred fresh and courageous soldiers appeared upon the field and saved the day for the Americans. Making a furious charge upon Breyman, the Americans forced him to retreat until his entire outfit was either captured or dispersed. Under the cover of darkness, Colonel Breyman with sixty or seventy of his soldiers succeeded in safely reaching the British camp with disheartening tidings.

[5] Fiske, J., *op. cit.*, I, p. 282-283.

At the termination of this sharp engagement two hundred seven were made prisoners of war. One thousand stand of arms, one thousand dragoon's swords and four field pieces fell into the hands of the Americans, who had lost but fourteen of their men killed, and forty-two wounded. Bennington was a brilliant victory which hinted of things yet to be achieved by Yankee resourcefulness.

The tidings of this American success gave new life to the colonial cause. Enlistments were stimulated. John Stark found favor with Congress and was elevated to the rank of Brigadier-General. Honors previously denied the doughty New Hampshire man were now lavishly heaped upon him. To Burgoyne, still tarrying at Fort Edward, the report of the happenings at Bennington was a crushing blow. In his attempt to obtain needful supplies, he had lost a seventh part of his available army.

CHAPTER XII

Fort Stanwix, 1777

Meanwhile in the West there were taking place events no less dramatic and no less injurious to Burgoyne's chances of success than those at Bennington. The army which St. Leger commanded had gone up the St. Lawrence, crossed Lake Ontario to the mouth of the Oswego; thence toward the Mohawk river. At Oswego, Sir John Johnson and his famous regiment of Tories known as the Royal Greens joined St. Leger. A company of Tory rangers, led by Colonel John Butler, considerably helped to strengthen the ranks of the invaders. During July, 1777, the environs of this place, infested with the Indian scouts of St. Leger, was a scene of rapine and slaughter of the defenseless inhabitants. Advancing cautiously through the woods with his mixed forces of British regulars, Hessians, Canadians, and two battalions of infantry, comprising Tories of Northern New York, St. Leger on the 3d of August laid siege to Fort Stanwix. This historic fortress commanded the main line of communication between New York and Canada. Though situated on the outskirts of civilization, the place was a veritable stronghold of Tories. At the approach of the enemy the people flew to arms. Patriots appeared to be more numerous than was anticipated. In this locality there were many loyal Germans whose ancestors migrated to America to escape the horrors of the Thirty Years' War, and who had settled in that part of New York.

Fort Stanwix was adequately garrisoned, and capably defended by Colonel Gansevoort. The spirit of the men was high, their temper hopeful. While not too abundant, provisions were sufficient and wholesome enough to enable the soldiers to withstand a siege of moderate dura-

tion. Powder and lead were plentiful. The only line of communication which the beleagured garrison had with the outside world lay through one hundred miles of forest. No sooner had he heard of St. Leger's approach than General Nicholas Herkimer, one of the most picturesque characters of the American Revolution, a loyal and gallant German farmer, mustered a band of eight hundred local militia and forthwith set out to relieve the besieged garrison. On reaching Oriskany this daring and determined patriot fell into a trap that had been carefully laid by the crafty Chief, Joseph Brant. Thus ambuscaded in a dark ravine, the Americans were cut off by the score. Those who attempted to escape were shot down as they ran. Trapped, the fight soon took on the form of a desperate and deadly hand to hand encounter. Ready knives and tomahawks were wielded with deadly accuracy. The clanging steel and the groans of the wounded rivalled the peals of the thunder clap; for the elements were astir. In the heat of this maniacal struggle, the brave Herkimer had his horse killed under him, while his own leg was shattered. Still his heroic spirit refused to recognize defeat. Carried from the fray, he was seated upon his empty saddle and propped against a tree and from this shelter, while calmly smoking his pipe, shouted orders to his men. Herkimer soon noticed that his men were being outwitted, for no sooner would a colonial discharge his firearms than an Indian would rush in upon him with his tomahawk. To counteract this offensive, the shrewd Herkimer kept his men in pairs behind trees; while one would fire the other would stand prepared to meet the onrushing savage and drop him in his tracks. The number thus killed greatly contributed to the success of the entire Mohawk campaign, for the Indian allies had been attracted by the hope of plunder.

While this death struggle was being enacted in the

ravine, the men at Fort Stanwix sallied forth, plundered Sir Johnson's quarters, and took away with them twenty wagon loads of spoils, and dispersed the Royal Greens.

General Schuyler quickly assembled a council of war for the purpose of devising the best way of getting assistance to the imperilled fort. Not being in the good graces of his politico-military subordinates, his proposed method of getting relief to Fort Stanwix was scouted. Stung to the quick by the ungentlemanly manner of these officers, and enraged at their evident apathy, he paced the floor of his chamber gritting his teeth until the pipe he was smoking crashed to the floor in pieces. In his rage he had bitten through the mouthpiece. He paused. Then in a voice violent with emotion, cried out, "Gentlemen I shall take the responsibility upon myself. Fort Stanwix and the Mohawk valley shall be saved. Where is the Brigadier who will command relief?"[1] Though these words were not addressed to him, for he was a Major-General, Benedict Arnold stepped forth and offered his services. By noon of the next day, with eight hundred Massachusetts men under his command, he led the relief expedition toward Fort Stanwix. A week's march brought this army, greatly augmented by the presence of hillside farmers, to within thirty miles of its destination. Arnold was as clever as he was daring. A Tory spy or a half-wit had been captured within the American lines. The penalty for his intrusion was death. However, Arnold promised to spare the young man's life on one condition. The condition was readily agreed to by the doomed one. After being carefully instructed in the details of his mission, the young spy with bullet holes in his coat sped to the Indian camp outside Fort Stanwix, while Arnold detained the youth's brother as a hostage. Running into the Indian camp the boy gave

[1] Lossing, B. J., *op. cit.*, I, p. 41; Tuckerman, B., *Life of Philip Schuyler*, p. 219.

the alarm that General Arnold was close at hand with a large army. The Seneca warriors listened to this tale with concern. Still mindful of the dreadful slaughter inflicted upon the best of their fighters at Oriskany, the Indians in spite of St. Leger's exhortation to remain, rushed away from the place in clamorous disorder. The panic rapidly spread until the only resource left to St. Leger was to retreat. This he did without needless delay, leaving behind him the whole of his artillery, his tents, and his stores. The fugitive English, after much trouble with their savage allies, straggled back to their starting place, Canada.

By that time it was certain that one part of Germaine's threefold plan was irreparably damaged. St. Leger's attempt to join Burgoyne at Albany had been frustrated.

CHAPTER XIII

Stillwater and Bemis Heights, 1777

Having captured or routed both wings of the invading army, one at Bennington and the other at Fort Stanwix (Rome), the Americans began to concentrate upon Burgoyne's main column as it slowly advanced towards Albany. Three weeks had wrought significant changes in the fortunes of the enemy. Disheartened and discomfited at what had befallen a great part of his warriors, Burgoyne still lay in camp at Fort Edward, six miles north of Schuyler's position. Realizing that the success or the failure of the British campaign depended upon the battle that hung ominously in the offing, Schuyler, greatly aided by the advice and the assistance of General Washington, arranged to break up and to capture the invaders. It was apparent that Burgoyne's isolated position was daily becoming more desperate.

Closely adhering to the advice of General Washington, Schuyler dispatched General Lincoln to what is now Vermont with the instructions to assault the invaders from the Eastern quarters and sever their communications with Canada. As Washington supplied the strategy, he likewise provided the necessary men to carry the plans to a successful conclusion. Lending his influence to the undertaking, he made a stirring appeal to all the able-bodied men of New England to come to the aid of the cause. Resolved that the Jenny McCrea tragedy should never be reënacted on American soil, the sturdy New Englanders, in droves, answered the summons. New York was not tardy in responding. The newly elected Governor, George Clinton, soon had fifteen hundred militia traveling over the road to Albany. Moreover, he ordered every able-bodied man into the field. Three thousand citizens from Connecticut marched to

Peekskill. They joined the army of the reserves commanded by General Putnam. Jonathan Trumbull, the patriotic Governor of Connecticut, was determined that his State and New York would stand or fall together.

That Washington clearly saw the importance of bringing Burgoyne's march to a disastrous close, can be inferred from the fact that he sent to Schuyler's assistance his invaluable corps of five hundred sharpshooters commanded by the daring Colonel Morgan, of Virginia. It is almost impossible accurately to measure the services rendered the American cause by these alert marksmen. Though known as Morgan's Virginians, at least two-thirds of them were Pennsylvanians of Irish birth or descent, the remainder were patriotic Germans. With the appearance more of the hunter and the trapper than of the soldier, these deadly marksmen were unequaled in the art of forest warfare. As fleet as deer, and as sure-footed as the mountain goat, these moccasined warriors deftly traversed the valleys and the mountains in the wilderness with the speed and silence of the winds. Eligibility to membership in that corps depended upon one's skill with the rifle.

The efficiency of the Colonial army was evident. General Schuyler's demeanor had gained him the loyalty of his soldiers. His reputation was retrieved. But with success in sight the politicians in Congress were resolved to deny him the opportunity of gaining a victory that would permanently establish him in the hearts of his countrymen. To this end Schuyler's enemies at last succeeded in reinstating General Gates in command of the northern division. From June, 1777, the time at which Schuyler had been vindicated, until he was finally removed from his command in August of the same year, General Gates practically lived in the lobbies of Congress striving at once to advance his own interests and to undermine the reputation of his superior officer. On the 19th of August, General Gates reached Albany to super-

sede Schuyler. Time, however, had brought a changed attitude in the ranks toward the new commander. During his absence, Gates' popularity steadily diminished while that of Schuyler's grew apace. Washington had sent both Arnold and Lincoln to assist Schuyler. These two soldiers soon recognized the real worth of their superior. They became devoted to him, and consequently could not transfer their affection to Gates, whom they equally disliked and distrusted. Even the private soldiers had little regard for him, because of his indifference to their sufferings, which frequently were caused by his inattention to duty. On learning that Schuyler has been deposed, the heroes of Bennington would immediately have returned to their homes had it not been for the unbounded influence which General John Stark exerted over them. In the face of this cruel treatment, Schuyler remained loyal to the cause. A less heroic nature would have acted differently under this stinging rebuke. For his integrity of character, if for nothing else, General Schuyler commands the respect and gratitude of posterity.

If personal jealousies existed among the British officers they were well concealed. Generals Fraser, Philips, and Hamilton, on the surface at least, were extremely loyal to their chief. Though at all times indispensable, that alone was not sufficient to carry Burgoyne to his desired goal. However, the British Commander-in-Chief was beginning to realize that the plans of Lord George Germaine were illusory, and his own task hopeless. He learned, greatly to his dismay, that not much assistance was to be expected from what few Tories he had found in New York. The reputed multitudes of loyal subjects he had not been able to discover. They chiefly existed in the imaginations of those who had assumed the responsibility of informing the British ministers. General Burgoyne was not long in making known to Lord George Germaine his findings in this regard; for he wrote him:

"I have," he said, "about four hundred, but not half of them armed, who may be depended upon. The rest are trimmers merely actuated by interest. The great bulk of the country is undoubtedly with Congress, in principle and in zeal; and their measures are executed with a secrecy and dispatch that are not to be equalled. The Hampshire Grants in particular, a country unpeopled and almost unknown in the last war, now abounds in the most active and most rebellious race of the continent, and hangs like a gathering storm upon my left." [1] The Green Mountain boys who, for nearly ninety miles, flanked Burgoyne's advance were slowly but surely cutting off his communications with Canada. During the first week of September, Burgoyne sent his last dispatch from Fort Edward to Downing Street, but it did not reach its destination. Thus isolated, he could pursue one of two courses; surrender or fight. The former was ignoble, the latter in keeping with the trust imposed upon him.

Up to that moment, the losses of the invaders were heavy. All that remained of that once glorious array was a body of seven hundred Provincials, one thousand seven hundred Germans, twenty score artillery, and three thousand British infantry. These, however, could be depended upon to do their share of whatever fighting remained to be done. But to them the American mode of warfare was new. While they were well versed in the tactics of mass warfare, they were tyros in the Colonial method of every man for himself. As marksmen, the Americans were superb, a fact attested by the large number of British officers who fell before their unfailing aim. Nevertheless, Burgoyne believed that an attack on the American front, with a similar attack on their rear by Sir William Howe would soon bring affairs to an abrupt ending. On the 30th of July, he wrote to Lord

[1] Burgoyne, J., *op. cit.*, Appendix No. 9, p. 25.

George Germaine as follows: "I have spared no pains to open a correspondence with Sir William Howe. I have employed the most enterprising characters, and offered very promising rewards; but of the ten messengers sent at different times, and by different routes, not one is returned to me, and I am in total ingorance of the situation or the intentions of that General." [2] The only tidings that Burgoyne received concerning his messengers was that two of them had been captured by the Americans and had been hanged as spies. In the absence of word from General Howe, Burgoyne determined to move southward in the direction of the enemy. Therefore collecting provisions sufficient to supply the army till it had reached Albany, he, on September 30th, led his men across the Hudson River on a bridge of boats. That evening they encamped near Saratoga. Quite opposite to this position stood the beautiful and extensive Schuyler mansion. Its fields of corn and maize were soon ravaged by the British soldiers. With the roads torn up and the bridges down, Burgoyne was able to travel toward Albany only one mile each day. While the army was thus slowly moving, its supplies were being carried down the Hudson on nearly two hundred barges. Benedict Arnold and his cohorts were intrenched at Bemis's Heights, which lay directly in the path of the oncoming enemy. This short stretch of table-land had been carefully and strongly fortified by the exiled Pole, Thaddeus Kosciuszko, who had joined the American cause. Here at Bemis's Heights, General Gates displayed his inefficiency to a marked degree. The American army greatly outnumbered the British. Oblivious of this fact, Gates instead of carrying the fight to the enemy began to concentrate his forces within his stronghold. Evidently he thought that the invading army would march *en masse* to attack him. On this occasion

[2] de Fonblanque, E. B., *John Burgoyne*, p. 270.

the British General manifested rare skill. That his knowledge of warfare was consummate, follows from the tactics employed against his adversary. The left wing of Burgoyne's advance was in charge of the alert General Philips. Daring General Fraser commanded the right, while Burgoyne led the centre. On September 19th, the British prepared to assault the American position. Gates showed no inclination to leave his citadel, to try conclusions in the open. Arnold seeing the difficulties that lay ahead, "begged and entreated" [3] to be permitted to march against the enemy with Morgan's sharpshooters and a small contingent of Massachusetts infantry. Gates grudgingly granted the request, and Arnold forthwith marched out into the wilderness determined to attack the right wing of the royal army. In driving to cover the Canadian and the Indian protectors of Fraser's front, Morgan's riflemen got scattered. Thus the enemy was enabled to capture some of them. The attack was made in a dense forest. The combatants could seldom see ten yards in front of them; hence the outcome at best was uncertain. After withdrawing for reinforcements, Arnold moved his men towards an opening that surrounded Freeman's farm. There General Hamilton with four battalions, and guns were stationed. At three o'clock in the afternoon with an army greatly augmented by the presence of New Yorkers, New Hampshiremen, and a rugged regiment from Connecticut, Arnold resumed his offensive. Colonel Morgan and his dispensers of death greatly contributed to make this line a formidable one. The fighting that followed was severe. The opposing lines moved forward and backward inflicting heavy losses the while. With frightful accuracy, the American marksmen perched high in trees, used their weapons upon the enemy. Ten British officers were mortally wounded; ten others were less severely injured.

[3] Lossing, B. J., *Life of Schuyler*, II, p. 349.

Three hundred fifty of the English first line of defense were cut down like grass before the mower. Not seventy privates of the sixty-two brigades remained uninjured at the end of the fourth hour of fighting. Of the forty-eight artillery men, thirty-six were slain or disabled. Had General Gates then emerged from his citadel to assist Arnold, the Americans could have put an end to Burgoyne's hopes. When General Philips, who had been covering Gates, realized that the hero of the lobby intended to remain remote from harm, he immediately swung his contingent around and went to the aid of Burgoyne. As soon as he got settled in his new position, his men poured a barrage of grape at musket range into the scattered bands of the weary and exhausted colonials. General Riedesel soon appeared upon the scene leading his Brunswickers. Thereupon General Philips began to charge the Americans. As night came on, Arnold abandoned his position and retreated a short distance into the dense woods, leaving the battle field literally covered with the dead and the dying. The solemn stillness was broken only by the howls of roving wolves which infested that country. Amidst the intermitting groans of the wounded and dying, the Indians noiselessly went about their savage work of scalping the victims of the battle.

By this time Burgoyne was convinced that his advance would not be a success if the Americans were to dispute every inch of his march. Thereupon he set his men to erecting fortifications. The next two weeks saw a thousand of them working in relays with hatchet, saw, and spade. The British position covered by a ditch and parapet, and protected by a battery of heavy guns, was still within cannon range of the American camp. In order effectively to fire their artillery the British had cleared away from their position all trees.

On the twenty-fifth of September an officer of the Burnswick Dragoons, who had been taken prisoner at Bennington, was sent by General Gates to notify Bur-

goyne that the American General Lincoln had recaptured Sugar Hill, and other outworks of Ticonderoga and had taken three hundred captives, several gunboats, together with nine or ten score barges used in transporting stores on Lake Champlain. In short, Burgoyne's line of communications had been thoroughly severed. To aggravate matters he received from Sir William Howe about the middle of September a letter, dated two months earlier. It foreshadowed that commander's invasion of Pennsylvania. Some days later a messenger from Sir Henry Clinton stationed at New York City reached the isolated Burgoyne with information equally unpleasant. Since New York was deemed so important, Clinton was disinclined to place it in jeopardy by the protracted absence necessary to aid Burgoyne. However, Clinton offered to attack Fort Montgomery. This could not have been of any assistance to Burgoyne, because Fort Montgomery was at least one hundred miles below his objective. What had happened to Lord George Germaine's elaborate plans of campaign? Marooned in the wilds of northern New York, Burgoyne for the first time fully realized that Howe would never meet him at Albany. Disappointed and depressed, the unfortunate invader continued to fortify his position, and impatiently awaited in fortune a change that never came.

Ever since Arnold, possessed of Washington's confidence, joined the northern army in the character of Schuyler's friend, Gates, a former admirer of the fearless Connecticut General began to manifest his pettiness. Soon after Arnold's brilliant showing on September 19th, the hostility of Gates toward him became openly insulting. On that memorable occasion, Burgoyne would have marched right into Albany had it not been for the grim determination of Arnold. Yet in the report of that encounter sent to Congress, General Gates, who had remained away from the fighting, designedly failed to mention the name of the man who had saved the day.

Gates and his sycophants continued to add insult to injury until Arnold could no longer stand the abuse, and consequently asked permission of his superior officer to leave the army and retire to Philadelphia. At the reiterated behests of his loyal followers, Arnold withdrew his resignation and remained. But Gates removed him from the command. Henceforth he was to be neither general nor soldier, just a hanger-on in camp. General Lincoln who distinguished himself by cutting off Burgoyne's communications with Canada, was called back to Bemis's Heights by Gates, and placed second in command of the northern army. After attempting to reconcile Gates and Arnold, Lincoln, not without respect for Arnold, assumed command of the regiments formerly led by the deposed General. With him Lincoln had brought back from Ticonderoga two thousand men.

From every New England State armed citizens poured into camp with the expectation that a sharp engagement was imminent. Without the attire of soldiers, and unskilled in military drill, these minutemen were a strong factor in the disaster awaiting Burgoyne. While the American ranks were daily growing larger those of the British were thinning. Every advance into the interior had seen Burgoyne sending men to the rear to guard the line of communication. These had been captured or dispersed. The soldier's uniforms were torn to threads by the briars of the forests. Provisions were dangerously low. In a land of abundance, Burgoyne could procure only with much risk those things which his army badly needed. By the first week of October, his men were placed on two-thirds rations. Immediately desertions began. Indians, Canadians, and Loyalists were swallowed up in the woods. Before long these were followed by English and by German soldiers desirous of obtaining more plentiful and wholesome food and clothing.

Recognizing that his present situation was desperate, General Burgoyne summoned his three principal lieutenants, and from them sought advice relative to a method of procedure. General Riedesel favored a retreat, so did General Fraser, while Philips was noncommittal. Burgoyne disregarded the advice of his two reliable Generals; for which he was in later times severely criticized by his own people. However he was determined to make one more desperate attempt to penetrate the American line and thus reach Albany. Had Burgoyne retreated he would have actually liberated General Gates and his fourteen thousand men, and thereby permitted them to go to General Washington's assistance who in turn could easily have conquered Sir William Howe, and thereby brought the American Revolution to an abrupt and humiliating ending for the English. But this supposes an efficient Congress and its loyal support by the States.

Gathering all his available men, Burgoyne on the seventh of October marched in a southwesterly direction to within striking distance of the rebel entrenchments. There in a field of waving wheat and corn he spread out his men. On the right was Lord Balcarres with his Light Infantry. Next was posted the Twenty-Fourth regiment with several thin battalions of Germans. On the left stood Major Acland commanding the Grenadiers. Along the centre of the array, upon convenient elevations, were posted six British and four Hessian field-pieces, Generals Riedesel, Fraser, and Philips, all capable, commanded the various sections of the line. While the British were making these preparations the Americans were not idle. At four o'clock in the afternoon the British were attacked from every quarter. Colonel Morgan with one thousand five hundred men attacked their position on the right, driving Lord Balcarres and his regulars before them. This was the beginning of a short but spirited hand to hand struggle that was

marked with equal valor. Some pieces of cannon changed hands as many as five times. One Brunswick battalion beat a hasty retreat before it had lost a single man, but General Riedesel with unsheathed sword in hand rode in among the more fearful of his men and rallied them. With odds heavily against him, Lord Acland's flank was badly demoralized. The Grenadiers retired, their valiant leader, with ugly wounds in both legs, having been carried from the field.

As we have already seen, Arnold had been relieved from command. Now that the fighting was on in earnest, he mounted a horse and with lightning like speed dashed to the field of battle. Immediately General Gates sent an aide-de-camp in pursuit with orders to bring him back, but the Connecticut man evaded the messenger. On reaching the front, Arnold galloped amid a cross shower of shot through the opposing lines to a position held by a body of Massachusetts infantry. Lusty cheers for their former leader were at once given. Shouting commands to these men, and brandishing his sword in the air, Arnold dashed headlong with them in a desperate attack on the division that connected the two wings of Burgoyne's army. Though outnumbered, the German mercenaries who constituted this link offered creditable resistance to that irresistible attack. In quick succession four Hessian captains fell. Rebuffed at first, the doughty Arnold with his sturdy New Englanders renewed the attack, and broke the centre of Burgoyne's defense. The British infantry left the field. Their cannon was abandoned, doubtless because their draught horses were slaughtered by the American marksmen. General Fraser was mortally wounded in that encounter. His command fell to Lord Balcarres, who, to avoid capture, retreated with his men to a place of safety.

In this engagement which lasted less than an hour, twenty British officers were killed or wounded, one hundred soldiers were buried in and about the field, and the

ten field pieces comprising Burgoyne's artillery had been lost.

During this brief but intense fighting, General Gates remained at headquarters remote from bullets. Arnold was not yet sated with the results. During the two hours cessation of hostilities he gathered as many soldiers as he could, and led them in the direction of the enemy entrenchment. On reaching Fraser's farm, he directed his first attack upon the fortifications of Lord Balcarres, but was repulsed by a shower of grape and musketry. An attack on another quarter met the same fate. As dusk was spreading over the land, he made a concentrated assault upon the German position. Here he met with success. Colonel Breyman was killed, whereupon those of his men who could not escape decided to surrender. While dashing through the sally-port of the enemy redoubt, Arnold's horse was shot from under him, and a German mercenary shot him in the leg that had been wounded at the siege at Quebec. Admiring the courage of the wounded German soldier, Arnold would not permit his own men to bayonet the prostrate mercenary.

CHAPTER XIV

The Surrender at Saratoga, 1777

As night came on, the din of battle ceased. The soldiers of both sides exhausted threw themselves upon the ground, the weary to rest, and the wounded to die. Not to betray themselves, neither side lighted fires. The deep silence of the night was interrupted by only the occasional moanings of the wounded and the dying. So close to each other were the opposing armies encamped, that safety lay only in keeping quiet. Trained soldier that he was, General Burgoyne saw the battle steadily going against him. In the sleepless moments of the long night, he meditated upon that decision which seemed inevitable. The earthworks, which the British had so cleverly and laboriously erected, were in the hands of the Americans. The cannon intended to be used upon the colonials were pointing toward the English ready to vomit their ponderous mass upon their former custodians. The best and the bravest of the invading army had been thinned in previous encounters. If the remnant of Burgoyne's once magnificent host was to be preserved from utter destruction something must be done. Therefore, at dawn on the following morning, Lord Balcarres aroused his weary soldiers and retreated from the arena which they had so stoutly defended. About half a mile to the rear, Burgoyne stationed his men on an elevation overlooking both the Hudson River, and the parallel road. Though resembling a natural fortress, this latest position was still within sight and range of American cannon.

A group of British soldiers, assembled on a neighboring hill, drew the fire of the Americans. The shell burst upon the ground throwing a shower of loose earth over the little array. The rebels ceased firing when they realized that the little band was laying to rest General

Simon Fraser, a noble soldier. He had succumbed to wounds received at Bemis' Heights. Of this incident, the historian Lossing touchingly writes: "And the solemn voice of a single cannon, at measured intervals, boomed along the valley, and awakened the repsonse of the hills. It was a minute gun fired by the Americans in honor of the gallant dead."[1]

By this time the Americans had the British covered both on the front and flank. Toward the close of a day marked by brisk skirmishing, Burgoyne learned that General Gates was moving with an army around his left wing to pen the British forces between the Hudson River and a semi-circle of hostile batteries. The British commander's ability as a leader was about to be given a severe test. Soon after sunset on the eighth of October he began a well-ordered retreat from his precarious position. At eleven o'clock, with camp fires ablaze to deceive the Americans, his rear guard quietly moved out of camp. The dying and the disabled were left behind. In a letter General Burgoyne recommended them to the kindness of his adversary. A heavy rain which continued with little respite for a fortnight, soon extinguished the camp fires, and rendered the retreat slow and toilsome. The tactics of obstructing the path of the pursuers, employed by Schuyler in his retreat, were now adopted by Burgoyne. At ten o'clock on the night of October ninth, he abandoned the heavy cannon that had become embedded in deep mud. After twenty-four hours of difficult travel he succeeded in reaching the buildings on Schuyler's estate near Fishkill Creek. In their retreat the British army averaged one mile every three hours. Early in the morning of October tenth, General Burgoyne, still resolved to continue his retreat, sent Colonel Southerland and a small band of soldiers to occupy and repair the bridge of boats that had been previously built. This

[1] *Op. cit.*, I, p. 66.

party succeeded in crossing the river and were almost in sight of Fort Edward when a messenger overtook them and ordered their return. On his way back Southerland posted a company of Loyalists to protect the bridge; but by a few well directed shots from American marksmen they were dispersed in confusion. As Gates' vanguard appeared on the southern quarter, Burgoyne made hasty preparations for defense. The British were quickly drawn up in line of battle along the hills overlooking Fishkill Creek. Everything that might afford shelter to the approaching Americans was destroyed, including the once beautiful mansion of General Schuyler. On the morning of the eleventh, Gates moved still closer to the enemy position. The valley which separated the opposing armies was wrapped in a dense fog. Twelve or fifteen hundred New England men went down into that valley and crossed over to the side of the enemy. While ascending on Burgoyne's side they were discerned by the British as the fog was rising. A spray of grape shot hastened their retreat. Large numbers of Americans began at that moment to press down on Burgoyne's right and left. General Fellows with three thousand men was stationed beyond the Hudson River to check any attempt to retreat by way of the bridge. The shore was lined with cannon. The majestic river was commanded as far north as Fort Edward. On the southern bank of Fishkill Creek, Gates' men were drawn up for action, while Morgan a mile or two farther up moved his troops in front of the forest bordering the flank of Burgoyne's camp. Every point of the British encampment was completely exposed to the range of the American artillery. Throughout the day the Colonials hurtled heavy shells into the enemy area, while Morgan's sharp-shooters from the treetops continued to pick off British officers. General Fellows succeeded in capturing and sinking the barges that carried provisions for the enemy. Completely surrounded and terribly harassed by the American fire, the rapidly

dwindling ranks of the British were forced to subsist chiefly on raw food. Shelterless and reduced to the bare necessities of life, the sufferings of the enemy were intense. The steady downpour, which had continued from the beginning of the retreat, increased these hardships.

Discipline among the British soldiers remained intact, though recent reverses somewhat cooled the ardor of the men. "The utmost," wrote Burgoyne, "that the officers gave me to hope from the complexion of their men was that they would fight if attacked. The Germans fell short of that. It was notorious that they meant to have given one fire, and then have clubbed their arms." [2]

The encampment was so closely surrounded and so completely exposed that the invaders could neither force their way out nor slip through the American lines to Canada. With but three days' provisions on hand, and no word from either Sir William Howe or Sir Henry Clinton, General Burgoyne on the thirteenth of October convoked a council of war that was attended by all the field officers and the regimental captains. At this convention he assumed all responsibility for the present predicament of his army. To a man the council was in favor of surrendering to the Colonials. Consequently, on the following morning plans were formulated for an honorable capitulation. General Gates insisted upon unconditional surrender. This with other unusual demands was promptly rejected by General Burgoyne. After a night of deliberation, General Gates agreed to permit the British to march out of their camp with the honors of war. They were to be given free passage from the port of Boston to Great Britain with the understanding that they were not to serve again in North America. During these negotiations, hostilities subsided much to

[2] Burgoyne to Sir William Howe, October 20, 1777, *American Manuscripts in the Royal Institution of Great Britain.* Vol. I. Quoted by Trevelyan, Part III, p. 191.

the comfort of the exposed enemy. The Americans and the British together drank of the cool waters of Fishkill Creek. The rations of the former were generously shared with their less fortunate victims. On October sixteenth, General Burgoyne signed the treaty. After the famished soldiers were fed and paid off, the rest of the day was spent in preparing for the ceremonies of the actual surrender. On the following day the British marched from the camp into a field near the junction of the two rivers, laid down their arms, and emptied their cartridges, but retained the cartridge boxes and their cross belts. While this ceremony was in progress, the American soldiers remained in their quarters. General Gates and a member of his staff took over the surrendered property. It was a rich harvest that included five thousand muskets, seventy thousand rounds of ball cartridges, many ammunition wagons, four hundred sets of harness, five trains of brass artillery battering guns, field guns, howitzers, mortars, and forty two pieces of ordnance. The prisoners numbered five thousand eight hundred, half of them German mercenaries. The Loyalist Major Skene had lost everything in the cause that he embraced. In the list of prisoners he wrote himself down as, "a poor follower of the British army."[3]

The surrendered army contained many officers of the British aristocracy, who were likewise soldiers of deserved reputation. The chief officers were tendered a banquet by General Gates at which General Washington and King George the Third were toasted. This over, the conquered army began their southward journey, marching between parallel ranks of nearly one thousand four hundred American infantry, four thousand additional troops standing in the background. Greatly impressed by the appearance of the Colonial fighters, an officer of the Brunswick contingent remarked, "The men stood so

[3] Lossing, B. J., *op. cit.*, II, p. 684.

still that we were filled with astonishment. Not a man made a motion to speak to his neighbor. Moreover, kindly nature had made them so slender, so handsome, and so sinewy that we wondered at the sight of so well-made a people." [4]

When the vanquished army arrived opposite the American headquarters, both Generals came from a tent. In full view of the two armies Burgoyne tendered his sword to General Gates. This was a token of defeat. Gates received the sword, which he at once returned to its owner. In justice to General Gates it should be remarked that on this occasion he conducted himself, not as a self-seeker, but as a gentleman. He spared no effort in making the enemy feel at home, and left no stone unturned to alleviate their sufferings.

General Schuyler as an interested spectator was present at the capitulation. To him Burgoyne made apology for having burned his mansion, and for having generally destroyed his property. Schuyler in turn begged the gallant English officer not to consider the affair too seriously. Schuyler caused an aide-de-camp to accompany Burgoyne to Albany, where the latter enjoyed the hospitality of his former adversary. General Burgoyne said, "This gentleman conducted me to a very elegant house and, to my great surprise, introduced me to Mrs. Schuyler and her family; and in this house I remained during my whole stay in Albany, with a table of twenty covers for me and my friends, and every demonstration of hospitality." [5] The same courtesy was enjoyed by Madame Riedesel, but not without embarrassment; for one of her daughters fascinated by the elegance she found around her exclaimed, within the hearing of all, "Mother,

[4] Lowell, E. J., *The Hessians*, p. 182.

[5] Excerpt from speech delivered by General Burgoyne in the British Parliament. Quoted by Lossing in his *Life of Major General Philip Schuyler*, II, p. 384; Tuckerman, *Life of Gen. Philip Schuyler.*

is this the palace Father was to have when he came to America?'' [6]

After resting among the scenes of their former struggle, the conquered army began its long and interesting march to the Massachusetts seaboard, whence they were to embark for England. While on that march they were the fascination of village eyes, and throughout were accorded friendly treatment. Not a single instance of maltreatment is reported to mark any resentment that the patriots might have cherished against the invaders.

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[6] Van Schaack, Henry, *The Life of Peter Van Schaack*, p. 94.

CHAPTER XV

The Violated Convention

The terms upon which the British forces laid down their arms were dictated by General Burgoyne. On the whole these were favorable to his men. When the papers containing the terms of surrender were laid before Congress, it was evident that what he had lost in battle, Burgoyne had regained by diplomacy or by strategy. Gates had assured Burgoyne in writing, that he and his men would be permitted, without interference, to sail from Boston to England. This, in reality, was actually freeing soldiers who should have been detained in America as prisoners of war. Since General Gates was a party to the contract, and a representative of his government, the honor of the United States demanded that he should have been supported by Congress. That body, however, saw things quite differently. Though reluctant openly to nullify the agreement, and yet not desirous of freeing the English prisoners of war, who might soon be put back into the field to fight the Americans, Congress discovered a flaw in the convention papers which it used as a means of detaining the conquered army. As already related, the British soldiers, when surrendering their guns, had retained their cross-belts and cartridge boxes. The American War Office had not received a detailed personal description of Burgoyne's non-commissioned officers. These reasons led Congress to repudiate the terms of surrender so sacredly pledged by General Gates.

Sir William Howe spent several months trying to obtain permission from Congress to allow the surrendered army to embark from some port in British possession, instead of from Boston. These attempts only confirmed the suspicions of Congress that once the soldiers were on British territory they would be mustered into Howe's

army and used against the Colonials. The fatal blunder, however, had been made by Burgoyne. In a letter to General Gates, relative to the over-crowded conditions of English officer's quarters, he declared that, "the public faith is broke."[1] This was the proverbial straw that broke the camel's back; for on July 8, 1778, Congress voted that the language of Burgoyne afforded a just ground for fear lest he should avail himself of, "such pretended breach of the convention"[2] in order to free himself and his army from the obligation assumed by the terms of surrender. Hence it was resolved that, "the embarkation of Lieutenant-General Burgoyne, and the troops under his command, be suspended till a distinct and explicit ratification of the convention of Saratoga shall be properly notified by the court of Great Britain to Congress."[3] In vain did Burgoyne protest that his words spoken in haste and without reflection, had been misconstrued. To the pleadings of the British ministry to permit the soldiers to embark, Congress was inexorable. Moreover, the fleet of transports that came to carry the soldiers back to England was not allowed to pass the forts that guarded the entrance to Boston harbor.

From Boston the British soldiers were transferred to the little town of Charlottesville, in Virginia. *There* opportunities to desert were many and irresistible. Some of the state governments offered inducements to these soldiers to enlist in the American army. Relative to this method of procuring soldiers, Washington wrote from Valley Forge, on March 17, 1778, to the President of the Council of Massachusetts. "It gives me inexpressible concern to have repeated information from the best authority, that the Committees of the different towns and districts of your State hire deserters from General Bur-

[1] *Journal of the Continental Congress*, X, p. 33.
[2] *Ibid.*, p. 35.
[3] *Ibid.*, p. 35.

goyne's army, and employ them as substitutes, to excuse personal service of the inhabitants. I need not enlarge upon the danger of substituting, as soldiers, men, who have given glaring proof of a treacherous disposition, and who are bound to us by no motives of attachment, to citizens, in whom the ties of country, kindred, and sometimes property, are so many securities for their fidelity."[4]

As to the German mercenaries, the Americans had little success in getting them into the rebel ranks. The former were apparently satisfied with their lot. Their new freedom was enchanting. They were permitted to ply their trades in the neighborhood, for many were skilled craftsmen. This was a source of fruitful gain. Outside the officers of Burgoyne's army, who were exchanged for American officers captured by the British, none of the convention troops reached Europe till after the war. More than fifteen hundred of General Riedesel's Brunswickers were still in Virginia as late as the month of May, 1780. These were either in detention or on parole.

In the early stages of the Revolution, France and other European nations displayed the greatest caution in their attitude toward openly assisting the rebellious Colonists. This was owing to the fact that the strength of the American patriots had not been severely tested. Moreover, a return to British guidance was not beyond the realm of probability. However, this European watchful waiting was destined soon to cease, for when General John Burgoyne surrendered to the American army at Saratoga, the strength of the English offensive temporarily collapsed. This event, as is well known, was the turning point of the War, because it renewed the courage of the Americans, and opened the way for an alliance with France, without whose assistance political independence must have been indefinitely postponed.

[4] *Writings of George Washington* (ed. Ford), VI, p. 453.

CHAPTER XVI

The Alliance with France, 1778

By the fatal treaty of 1763, terminating the Seven Years' War, France yielded to England her claim to Canada, the isle of Cape Breton, the islands of Grenada, St. Vincent, Dominica, Tobago, and Senegal. With the French Indian possessions ruined, England forced her victim to raze the fortifications of Dunkirk, " . . . and to submit forever to the presence of an English commissioner, without whose authorization it was not permitted to move a single paving-stone on the quays or harbor of a French city." [1]

In her palmy days of exploration and colonization, France sacrificed many lives and expended large sums of money in extending her dominions. All this was rendered futile by the extreme stipulations of the hatred engendering treaty of Paris. In an agony of humiliation France submitted to the terms of the treaty; but of it was born, "an antagonism between the two countries which must, even without the American Revolution, have sown the seeds of another war." [2] In order to ameliorate the unendurable condition to which, in 1763, she had been reduced, France immediately began a series of measures which soon restored her to a position as a first-class power. She reorganized her navy; and established intimate relations with Austria and Holland, besides, "re-establishing the old family Bourbon compact with Spain, Parma, and Naples." [3] England on the other hand continued enlarging her navy until, in name and in reality,

[1] Edwards, H. S., *Beaumarchais and His Times*, p. 259.

[2] Wharton, Francis, *United States Revolutionary Diplomatic Correspondence*, I, p. 329.

[3] *Ibid.*, I, p. 330.

she became mistress of the seas, and the envy of the other European nations. With a vast empire to control England began to re-organize her government at home, and to weld more closely together those distant parts of the realm which had thriven by her neglect. In her attempt to allocate the American colonies the strength of Great Britain manifested its inherent weakness; but not to the dismay of her neighbor across the channel. Fisher observes, "The whole French nation was thirsting for revenge. In fact all continental Europe was thirsting for revenge, because England searched their merchant ships as she pleased. Spain was thirsting for revenge because the English still held Gibraltar and Minorca, the strongholds of the Mediterranean, and Jamaica, the basis of naval power in the Spanish main." [4] That, in brief, was the situation in Europe when unrest among the American colonists was transformed into active resistance to the policy of the British ministry. Thus France awakened to the opportunity of regaining in a financial way, "what not the genius of their greatest statesmen, nor the gallantry of their bravest princes could ever accomplish." [5] Never had such an effectual opportunity, coming as it did from England's controversy with her American colonies, offered to humble the external enemy, not by expensive conquest but by dismembering the empire of their adversaries.[6] In order not to be deceived or misled by the enthusiasm arising over the impending colonial revolt, King Louis XV, had his secret service men operating in England and in America. That these agents kept the shrewd monarch well supplied with information may be inferred from the following.

"He was very well served by the representatives of France in London. M. Durand, and after him M. de

[4] Fisher, S. G., *op. cit.*, II, p. 114.
[5] Carmichael to Count de Vergennes, Stevens *Facsimiles*, VII, No. 647.
[6] *Ibid.*, VII, No. 647.

Châtelet, or in the absence of the latter, M. Français, his first secretary, were incessantly on the search for ideas and news. Their correspondence abounds in particulars relating to the history, position, forces, hopes, and desires of the Colonies; particulars derived from the best sources, the writings and conversations of Franklin, the reports of M. de Pontleroy (an intelligent naval officer whom M. de Choiseul had commissioned in 1764 and 1766 to visit the Colonies secretly under the name of Beaulieu), from communication with merchants in the city, indiscreet remarks of members of the opposition, American newspapers; and there are still to be found in the archives of the office of foreign affairs pamphlets, reports of assemblies and meetings, and political sermons, which were annexed in great profusion to their dispatches. They did not confine themselves to stating what they had heard; they also said what they thought."[7]

On June 1, 1775 news of the accession of Louis XVI to the throne of France reached Boston. The leading patriots of Massachusetts began to speculate regarding the attitude of the new and youthful monarch toward the American colonies, then rapidly moving to war with the parent state. The new king selected Maurepas as first minister; but Maurepas reserved no department for himself. To Vergennes, deeply interested in American affairs, was given the office of foreign affairs. "He was a cold man," writes Perkins, "but he was constant; his memory is not green in America like that of La Fayette; he had few of the endearing qualities and none of the ardent enthusiasm of the marquis; he felt for the American patriots little of the fervid admiration of some who fought for us and many who talked of us; but he did more than any other Frenchman to secure political independence for the American colonies."[8] Surrounded

[7] De Witt's *Jefferson*, p. 52; cf. Wharton, *op. cit.*, I, p. 331.

[8] *France in the American Revolution*, p. 36.

by a coterie of capable advisers; and like his predecessor employing the same ingenious system for secretly procuring information concerning current events in which he was deeply interested, the king held aloof from entanglements that might bring upon his head the wrath of Great Britain. Beaumarchais, more famous in the literature of his day than in its politics, but not without some skill in diplomacy was probably preëminent among the French secret agents then operating in London. In the cabinet of Lord North was Lord Rochford, minister of foreign affairs, not a model of discretion but an intimate friend of Beaumarchais. Both had been on friendly terms while Rochford was ambassador to Madrid; and now Beaumarchais relied upon that friendship to gather information for Louis XVI. Another intimate of Beaumarchais was John Wilkes, Mayor of London, democrat and champion of the people then swaying the masses at will. Besides having these two gentlemen as his sources of information, Beaumarchais made it his business to meet at his own house all who came from America to interest themselves in the plight of the colonies. Thus Beaumarchais, the secret agent of the king, was in an advantageous position to keep the royal head informed on passing events in London and in America. In September, 1775, nearly a year before the Declaration of Independence, he sent a memorial to the king in which he foretold the successful outcome of the American undertaking.[8a] In addition to his prophecy, Beaumarchais in that memorial laid the basis of what turned out to be the policy pursued by Louis XVI in dealing with the colonists. At first the policy of France was strict neutrality with watchful waiting. Next it was one of secret support, and lastly open alliance. These were the three changes which the policy underwent.[9] Be-

[8a] The Memorial to the king is given in Edwards, H. S., *Beaumarchais and His Times*, pp. 262-264.

[9] Hale, E. E., *Franklin in France*, pp. 31-32.

sides suggesting the policy to be pursued, Beaumarchais gave freely of his time and wealth that the colonial venture might succeed. His efforts and his generosity went unrewarded. "The part taken by Beaumarchais in furnishing assistance to American patriots is a picturesque chapter in our early history, while the treatment he received from the people he befriended is not a thing of which we can be proud." [10] Though amply supplied with information pertaining to Anglo-American activities, it would have been ruinous for France to espouse the cause of America until the strength of the latter had been fairly if not severely tested. That test, in essence, meant total separation from English control. "Should *America* this spring declare independence, it is most certain that *France* and many other Powers of *Europe* will give her immediate assistance, if applied to; which no Power will attempt to do while the *Americans* style themselves subjects of the King of *Great Britain.*" [11] The sentiment contained in the above excerpt is taken from a letter written May 19, 1776. That the situation thus described was fully appreciated by the British ministry may be inferred from the fact that the arena of conflict was designedly transferred to the southern colonies which were considered friendly to the home government. Had the southern campaign been a complete success, the anticipated Declaration of Independence would have been indefinitely postponed; for the evident reason that the colonies would have been weakened and divided. Most of the powers of Europe, especially France and Prussia, had already notified the British Ministry that they would be at liberty to aid the colonists in the event that the colonists would declare themselves independent of Great Britain.[12] Less than a

[10] Perkins, J. B., *op. cit.*, p. 70.
[11] Force, *American Archives* (4th Ser.), VI, p. 505.
[12] *Ibid.* (4th Ser.), VI, p. 505.

month before the actual issuance of the Declaration of Independence, Barbue Dubourg, an American agent living in France, wrote to Benjamin Franklin assuring him that there was no need of worrying about France helping the colonies, "All will kindly listen to a just and honorable cause," he stated, "but none will espouse it with warmth."[13] However, supplies were secretly coming into America from the French West Indies, though France had not as yet openly declared in favor of the Americans.[14] Because, "It would be well that England should exhaust and weaken herself somewhat before France openly took part with the Americans."[15]

Spain also secretly assisted the Americans, and that in an ingenious way. "The Spanish ambassador paid (one million) into the public treasury of France, and took an acknowledgment for it from the cashier; he remitted this acknowledgment to M. de Vergennes, and the latter gave it to Beaumarchais."[16] This money was spent in buying supplies for the colonists. In order to deceive the English the goods were sent directly to commercial companies in America established by Beaumarchais. In return for these goods the French were to receive the staple products of America. The goods thus received were to be sold in France. The money accruing from the sale was to be paid to the French and to the Spanish governments. Thus the risk of being detected at violating the laws of neutrals was greatly diminished. It is needless here to add that the American colonists were frequently slothful in upholding their end of the exchange agreement. Suspicions of being in bad faith at times arose from this situation. Dissatisfaction with the goods sent them was not the basis of colonial com-

[13] *Ibid.* (4th Ser.), VI, p. 774.
[14] *Ibid.* (4th Ser.), VI, p. 612.
[15] Fisher, S. G., *op. cit.*, II, p. 115.
[16] Edwards, H. S., *op. cit.*, p. 275.

plaint or tardiness. "There may have been neglect in some particulars, which may be explained by the difficulties with which the affair was surrounded, but, on the whole, the accusation has no foundation." [17]

For a year before the actual declaration of Independence the colonies from Canada to Florida had rid themselves of British rule. Hence it was not presumption but the cold logic of past events that lie hidden in the famous 7th of June resolution of Richard Henry Lee "That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved." [17a] Men of conservative tendencies were loath to sever all connections with Great Britain; these were naturally opposed to the Declaration. Others wished rather to await success to colonial arms before giving to the world the document marking final separation. However, the irretrievable step was taken on July 4th; men could no longer hesitate; the die was cast. The Loyalist's exodus set in; while patriots settled down to the task of making the Home government accept the colonial ultimatum. The King of France, deeply interested in the American situation yet hesitant to ally himself with mere rebels, waited for two years till Burgoyne met with disaster. The Surrender at Saratoga manifested the purpose as well as the resources of the colonists, and decided the French King to enter an open alliance with them.

In September, 1776, Congress nominated as Commissioners, Benjamin Franklin, Silas Deane and Thomas Jefferson to negotiate a treaty of commerce and amity with France. Jefferson declined the nomination and Arthur Lee, who later proved a source of trouble, was

[17] Edwards, H. S., *op. cit.*, p. 288, note.

[17a] *American Archives* (4th Ser.), VI, p. 1700.

named in his place. On December 4, 1776, Franklin after a voyage of thirty days landed at Auray in Brittany whence he proceeded to Paris carrying with him several secret papers to Mr. Deane.[18] Franklin lost no time in informing those interested in American affairs as to the recent successes achieved by the colonial forces on land and on sea.

On December 23, 1776, the commissioners wrote to M. de Vergennes, "that we are appointed and fully empowered by the Congress of the United States of America, to propose and negotiate a treaty of Amity and Commerce between France and the said States. . . . The just and generous Treatment their Trading Ships have received, by a free Admission into Ports of this Kingdom, with other Considerations of Respect, has induced the Congress to make this Offer first to France."[19] Eight days later Silas Deane made a futile attempt to have France declare war on Great Britain. The reasons that influenced Deane in his proposal were twofold. England's finances were in a precarious condition and her forces were away in America.[20] France, however, had her own policy which she did not intend to alter until circumstances warranted such action.

However, the attempts of the commissioners to induce France openly to ally with the United States were not untimely. In answer to their memorial to the king was found assurance that secret assistance would continue to be given to them.

Though the French King hesitated openly to assist the colonists, his attitude toward their plight may be gained from a perusal of this royal answer to the petitions of the American Commissioners for assistance.

"Account has been given to the King of the memorial of the deputies of the united provinces of America and

[18] Stevens, *Facsimiles*, VI, No. 597.
[19] *Ibid.*, *Facsimiles*, VI, No. 606.
[20] *Ibid.*, *Facsimiles*, VI, No. 607.

of the various demands which are therein enunciated. His Majesty would wish that circumstances were of a nature to permit him to consider the suggestion made to him for a certain number of vessels which it is proposed he should lend. It would be a pleasure to him to give them without requiring any return, a course which would befit his dignity; but the interests of his realm and that of the safety of his distant possessions require that far from being able to dispense with any part of the establishment of his naval forces, he proposes rather to strengthen and increase them. Besides that, His Majesty is of opinion that the sending of a small number of armed vessels into American seas, under whatever flag they were taken there, would not change the face of affairs in that country. It cannot be disguised that these vessels would immediately be followed by an English squadron greatly superior in numbers, which would thereupon compel the other to shut itself in the ports, an event which by making it quite useless to the object intended in its despatch, would serve only to compromise the power which decided to do it. It would be an error to think that a measure so ostensibly offensive would not be a legitimate motive of war. Assuredly the united provinces would spare neither Hesse nor the state of Brunswick if they had an opportunity of making them feel their resentment. It is a generally received maxim in politics that nothing is more just than to make war on those who make war upon themselves. The same reasons which dissuade his Majesty from weakening his fleet do not permit him equally to commission special convoys to escort American vessels. So marked a partiality would be a motive of war no less legitimate than the sending of a masked squadron. It is not by means so devious and so inconsistent with the dignity of a great power that she can enter into war. It is the sense of her own great interests, it is their necessity which alone can and ought to lead her to it. That which at the present appears distant

may come nearer to us, but we may not anticipate time and events. We must know how to await them and be prepared to profit by them. It will then be time to discuss and settle the method of cementing, upon the basis of an unchangeable interest, the ties and the friendship which ought to unite nations having a common enemy to encounter. The united provinces may be well assured that neither on the part of France nor on that of Spain will any overture be made to them which would clash with their essential interests, and that the views of the two crowns, quite independent of any desire for conquests calculated to alarm or injure the provinces, will always be directed solely to render the common enemy powerless to harm them. The facilities for their commerce which the Americans have found in the ports of France and Spain as far as they are compatible with the execution of the treaties strictly adhered to by the two monarchs;—the diversion, however tacit, on the part of the two powers who by costly armaments compel England to a division of her efforts; these are very manifest signs of the interest which the two crowns take in the lot and in the success of the affairs of America. What more could be required of them? No common interest has as yet united the diverse peoples; and to imagine a hazardous war as their point of union would be to ignore the object which we ought respectively to propose to ourselves and which may result from the natural course of events.

"The King by no means wishes to hamper the Americans in obtaining such resources as they may realize in the commerce of his kingdom, being fully persuaded that for their part they will conform to the rules prescribed by the precise and rigorous meaning of the treaties. His Majesty without being able to enter into the details of the several provisions of which the Americans may have need, will signify to them his favourable disposition and good wishes by assigning to them secret assistance which

will assure and extend their credit and their purchases."[21]

After reading the royal message to the commissioners one cannot rationally excuse King Louis XVI from having a hand in the attempt to disrupt the British empire. Nearly eight months before the issuance of that letter, Barbeu Du Bourg, on June 19, 1776 notified Comte de Vergennes that owing to the advance of the English by way of Canada the colonists should be promptly aided if they were to be kept from being forced to bend beneath the yoke of England. He further pointed out that, "There are in the Royal arsenals more than 300 or 400 pieces of cannon of No. 4 calibre, (the most necessary in their position) not at present in use for the service of the State, which could be sold to Spain to be forwarded to Havanna, and which any merchants would purchase at Havanna for the neighboring Continent."[22] The fleurs-de-lis were to be removed from those cannon so that in the event of their being captured by the British, France could not be indicted for having helped the Americans. Payment for the cannon was to be made in American tobacco the sale of which could easily be effected by the French merchants. Beaumarchais was permitted secretly to take from the French state arsenals and that by instalments 200 cannon, mortars, shells, cannon balls; 25,000 guns, 290,000 pounds of powder, and to get clothing and tents for 25,000 men. In order not to arouse the suspicions of the English by the removal of this paraphernalia, Beaumarchais hired an immense house, called the Hotel de Hollande, in the Faubourg du Peuple, installed himself in it with his officers and clerks, and became known as a Spanish merchant bearing the name of Roderigue Hortalez & Co. Surmounting obstacles too

[21] This letter is dated Jan. 5, 1777. France. *Archives des Affaires étrangères.* Etats Unis. II, No. 13, fo, 24. Stevens, *Facsimiles,* VI, No. 621.

[22] *Ibid., Facsimiles,* VI, No. 570.

numerous to mention, Beaumarchais succeeded in transporting his vast supplies to America just as the campaign of 1777 commenced. That method of secretly helping America so irritated Lord Weymouth that he warmly urged a declaration of war against France. "At any rate France seems to have done enough to incur the utmost resentments of our king and Ministry, and if she should do no more she will probably have reason to think she has done too much." [23] Many were of the opinion that when the American struggle would be definitely settled, England would turn her attention to making France render an account of her stewardship. Subsequent events show that is just what England rightly did.

However, relative to the zeal and industry manifested by Beaumarchais in the American contest, Silas Deane, one of the commissioners at Paris, on the 29th of Nov. 1776, wrote to the secret committee of Congress; "I should never have succeeded in fulfilling my mission without the indefatigable, generous, and intelligent efforts of M. de Beaumarchais, to whom the United States owe more in every respect than to any other person on this side of the ocean." [24] Despite this profession of gratitude made by Silas Deane, Congress not only failed to thank Beaumarchais but also refused to answer his letters to it. When confronted by Beaumarchais relative to the taciturnity of Congress, "Silas Deane was confused, and could not explain this silence." [25] The failure of Congress to recognize the assistance given the American army by Beaumarchais may have been owing to the fact that Arthur Lee, who knew Beaumarchais in England, and associated with him led Congress to believe that the goods sent by Beaumarchais were gratuitous gifts from the French government to the colonists. At least

[23] *Ibid., Facsimiles*, VI, No. 634.
[24] Edwards, H. S., *op. cit.*, p. 294.
[25] *Ibid.*, p. 295.

Congress pursued that suggestion and ignored Beaumarchais. Petty jealousies among the commissioners also worked to the disadvantage of the playwright diplomat.

The spring and summer of 1777 found relations between England and France on the verge of a rupture. Through her ambassador to France, England accused her neighbor of open breaches of neutrality. The accusation was not without solid foundation. The American commissioners during the while were bending every effort to negotiate an open alliance with France. But the French court was reluctant openly to espouse the colonial cause. Spain and Prussia took the same attitude. "The news received from America, after the affairs of Trenton and Princeton, was on the whole of a dark character, and in no direction was there much that should make England jealous of the assistance given by France to the Colonists; for even the friends of America in the French ministry were discouraged, and the disposition for an alliance was less, almost, than it had ever been."[26] The American commissioners were despairing of ever getting France to enter into an alliance with the colonists, when suddenly, on the 4th of December, 1777, the news of Burgoyne's surrender gave new life and new hope to their undertaking. "A day or two afterwards, Gérard, the secretary of the council of State, called upon the Commissioners to congratulate them upon the event, and to hint that the present would be a favorable time to bring forward again the proposition for a treaty."[27] Events now moved rapidly; and on Feb. 6, 1778, the treaty of amity and commerce between France and America was signed. On the same day both countries entered into a treaty of alliance. When it was positively learned that France had allied herself with the Americans, England began to push work upon her

[26] Halle, E. E., *op. cit.*, I, p. 175.
[27] *Ibid.*, I, p. 176.

army and her navy, but more attention was given to the strengthening of the latter; for it was generally conceded that war between the two countries would in a great measure be a naval one. On the other hand, when the news of the Franco-American alliance reached the colonists, the evil-eyed monster of religious bigotry again raised its head. But this time the anti-Catholic spleen came not from the Adamses and their followers, but from the Tories or Loyalists. Concerning the Loyalists' attitude toward that treaty a prominent American historian thus writes:

"The most vulnerable point of attack on the French Alliance was the fact that the ally was Catholic. The Tories declared that Congress adopted all sorts of Romish mummery. Loyal newspapers printed the most absurd canards announcing that the French king was preparing a fleet which should come to America and convert his new subjects. Some of the vessels were laden with tons of holy water and casks of consecrated oil. A thousand chests of reliques, beads and crucifixes were ready, and a vast number of crape shifts, hair shirts, cowls and scourges. Another vessel contained many thousand consecrated wafers, crucifixes, rosaries and massbooks as well as bales of indulgences. To provide for the conversion of heretics of whom America had many, the good king has not forgotten the necessary equipment of wheels, hooks, pincers, shackles, and firebrands. To instruct the Americans in the use of these pious instruments, there was ready an army of priests, confessors and mendicants . . . the contract for a Bastille in New York had already been granted, and America would soon enjoy the blessings of French government and the felicity of Popery." [28]

Apropos of this ridiculous propaganda hurled in the face of the French who were willing to sacrifice their all in the cause of American Independence, Fisher writes, "As we look back through a perspective of nearly a hundred and fifty years, all this seems very ridiculous. But in 1778 thousands of American loyalists sacrificed their

[28] Van Tyne, *The Loyalists in the American Revolution*, pp. 154-155.

property and their lives to their belief in such arguments; and in 1779 and 1780, when it was thought that the independence movement had fallen in spite of the aid of France, there were patriots who became convinced by such arguments and thought the French alliance a deplorable mistake." [29]

Had General Burgoyne succeeded in his undertaking, there is no doubt that France would have rejected the American overtures for an alliance; despite the fact that she hated England. France aided the American colonists not because she loved them more; but because she loved England less. It must not be forgotten that the colonists did more of their share in the work of driving France out of Canada, and had greatly aided England in forging the shackles on France in the Treaty of 1763. "It was certainly curious, and to some minds inconsistent, that this great assistance, the greatest perhaps that was ever given to Anglo-Saxon ideas of liberty and self-government, was given by the French nation and a French King, a Celt, half Bourbon and half Pole, at the height of the reign of despotism in France." [30]

As Spain was ruled by the house of Bourbon it was only natural that she would be in close sympathy with France. Like France she secretly aided the Americans. Now that France had openly allied herself to the American cause, Spain thought of following suit, but instead independently declared war on Great Britain. For the apparent reason that she espied the opportunity of driving England from Gibraltar, and more securely to entrench herself in her own American possessions. At no time in her career had Spain manifested any enthusiasm for republicanism, the spirit of the American revolution.

[29] Fisher, S. G., *op. cit.*, II, p. 120.
[30] *Ibid.*, II, p. 116.

Russia, Germany and Holland followed the footsteps of France and Spain.[30a]

Strange as it may appear the puritan firebrands desired to make of America a sanctuary for Protestantism; but in order to accomplish that design they were compelled to seek and to procure the aid of Catholic France. The majority of the French adherents to the colonial cause were Catholics. There were more than 46,000 French sailors and soldiers. Of the five thousand troops of Rochambeau one regiment, 1300 strong, was Lutheran —that of Count Zweibrücken (Deux Ponts).[31]

To summarize a familiar story, the desire of King George III to rule brought about the American revolt, the turning point of which was reached at the surrender at Saratoga. The surrender at Saratoga led to the French alliance; the French alliance sealed the doom of Lord Cornwallis at Yorktown, and thereby assisted in giving to the world an enduring democratic form of government.

[30a] *Vide* Dr. Charles H. McCarthy, "The Attitude of Spain during the American Revolution," in the *Catholic Historical Review*, II, pp. 47-65.

[31] See *Les Combattants Français de la Guerre Americaine* (1778-1783), U. S. Senate Document.

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GENERAL INDEX

Acts, Townshend, 36.
Adams, John, 2, 4, 24 ff., 33 ff., 41, 44, 49 ff., 51 ff., 61, 72, 101.
Adams, Samuel, 2, 41, 51.
Albany, N. Y., 5, 84 ff., 89, 100, 102, 104, 112 ff., 114, 116, 122.
Allen, Ethan, 66, 92.
Allen, Rev. Mr., 106.
American Revolution, 18.
Anabaptists, 50, 52.
Anglican Episcopate, 43 ff., 47.
Anne, Queen, 6.
Arnold, Benedict, 68, 70 ff., 87, 102, 111 ff., 115, 117 ff.
Association, the, 59.

Barre, Sir Isaac, 13 ff., 65.
Baum, Colonel, 104, 106 ff.
Beaumarchais, 138, 145 ff.
Bedford, Duke of, 17.
Bellechase, St. Michel de, 75.
Bemis Heights, 113 ff., 126.
Bennington, Vt., 100 ff., 104 ff., 107, 113, 115, 119.
Bernard, Sir Francis, 4, 26, 29.
Bill of Rights, 10.
Board of Trade, 18 ff., 21.
Boston Massacre, 33 ff.
Boston Tea Party, 35, 39.
Braddock, General, 5.
Braintree, Mass., 5.
Brant, Chief Joseph, 110.
Breyman, Lieut.-Col., 106 ff., 124.
Briand, Jean, Rt. Rev. Bishop, 73 ff.
Brunswickers, 90, 98, 119, 123, 129, 134.
Bunker Hill, Battle of, 66, 105.
Burgoyne, Lieut.-Gen. John, 89 ff., 96, 99 ff., 103 ff., 107 ff., 114 ff., 124, 127, 132, 134, 149.
Burke, Hon. Edmond, 12, 14, 64 ff., 82, 93.
Bute, Lord, 8 ff., 17 ff.
Butler, Col. John, 109.

Cabinet, 6.
Carleton, Sir Guy, 76, 78, 89 ff.
Carpenter Hall, 51.
Carroll, Chas., 72, 77.
Carroll, Rev. John, 72 ff., 76.
Catherine, Empress of Russia, 80.
Catholics, 47 ff., 52, 72.
Castle Williams, 30.
Chamberlain, Mellen, 15, 17 ff.
Charles, II, 15.
Chase, Samuel, 72, 76 ff.
Cider Tax, the, 22 ff.
Clark, Mr., 39.
Clergy, Congregational, 43.
Clinton, Gen., 120.
Clinton, Gov. George, N. Y., 100, 113, 120.
Concord, 65 ff.
Congregationalists, 43, 50.
Curry, 10.
Cushing, Thomas, Mr., 50.

Deane, Silas, 141 ff., 146.
Declaration of Independence, 83, 139.
Declaratory Bill, 27 ff., 58.
Du Bourg, Barbeau, 140.
Duche, Jacob, Rev. Mr., 51.
Duddingston, Lieut., 34 ff.
Duxbury, Mass., 2.

East India Co., 36 ff.
Edward, Fort, 93, 99, 100 ff., 103, 107, 113, 116, 127.
Essay on Nationalism, 6.
Essay on Woman, 10.
Exeter, N. H., 104.

Farmer, Rev. Fr., 73.
Fellows, Gen., 127.
First Continental Congress, 47, 49 ff., 55, 57, 60, 67, 78.
Floquet, Rev. P., 73.
Franklin, Benjamin, 3, 11, 72, 76, 140 ff.
Fraser, Gen. Simon, 98, 115, 118, 122 ff.
Frederick, The Great, 80, 83.
Freeman's Farm, 118.
French Alliance, 135 ff., 148.
French West Indies, 20.

Gage, Gen. Thomas, 40, 64 ff.
Gansevoort, Col., 109.
Gaspee, 34 ff.
Gasquet, Cardinal, 55.
Gates, General Horatio, 84, 86 ff., 95, 114 ff., 117, 119 ff., 124, 127 ff., 132.
George Fort, 103.
George I, 6 ff., 44.
George II, 7 ff., 44.
George III, 4, 8, 12 ff., 17 ff., 25, 35 ff., 40 ff., 44, 65, 80, 83, 92, 128, 150.
Gerard, 147.

Germaine, Lord George, 89, 99, 103 ff., 115 ff., 120.
Great Britain, 1, 4, 92, 128, 138 ff.
Green, J. R., 36.
Grenville, George, 18, 24, 28, 32.
Guilday, Dr. Peter, 48.

Haliwell, Mr., 39.
Hamilton, Alexander, 49.
Hamilton, General, 115, 118.
Hancock, John, 29.
Hannah, The, 35.
Hanover, 6, 7.
Hazen, Col. Moses, 74.
Henry VIII, 43.
Herkimer, Gen. Nicholas, 110.
Hessians, 83, 90, 89, 109, 123.
Hierarchy, Episcopal, 43, 45 ff.
House of Commons, 10, 13, 20 ff., 65, 93, 99.
Hulton, Anne, 30, 46, 61.
Hutchinson, Thomas, 32, 38, 39, 64.

James I, 15, 17.
Jay, John, 50.
Jefferson, Thomas, 40, 41.
Jew Bill, the, 22.
Johnson, Sir John, 109.
Junius, 12.

King's Bench, 10.
Kosciuszko, Thaddeus, 117.

Lafayette, Marquis de, 137.
Langdon, John, 104.
Lee, Arthur, 141.
Leger, Col. Barry St., 89, 109 ff.
Lexington, 65 ff.
Liberty, the sloop, 29.
Lincoln, Gen. Benjamin, 104 ff., 113, 120 ff.
Livingston, James, 74.
Lotibiniere, Rev. L. E., 74.
Louis XV, 136.
Louis XVI, 137 ff., 145.
Loyalists, The, 61, 104 ff., 107, 121, 127, 148.
Luttrell, Colonel, 12.

Macaulay, T. B., 9.
Massachusettensis, 24.
Massachusetts, Charter of, 15.
Massachusetts, Assembly of, 2, 21, 31, 133.
Middlesex, Election, 11.
Morgan, Col. Daniel, 114, 118, 122, 127.
Montgomery, Gen. Richard, 69 ff., 120.

McCarthy, Charles H., Dr., 150.
McCrea, Jenny, 93 ff., 113.

McNiel, Mrs., 93 ff.
Narragansett Bay, 34.
Navigation Laws, 15, 17, 19.
New York, Assembly of, 21, 88.
North Briton, No. 45, 10.
North, Lord, 13, 36, 41, 55, 93, 138.
Novangulus, 24.

Oriskany, 110, 112.
Otis, James, 1, 2.

Paris, Treaty of, 1763, 48, 135, 149.
Paxton, Mr. Charles, 38.
Pennsylvania, 14, 46 ff., 49, 52, 71, 95, 120.
Philadelphia, 16, 37, 42, 49, 60, 67, 77, 87, 121.
Philips, Gen. 96, 103, 115, 118 ff., 122.
Pitt, Sir William, 7 ff., 14, 17, 24, 28, 65, 80.
Plymouth Colony, 2, 39.
Presbyterians, 50.
Preston, Captain, 33 ff.
Privy Council, 21.

Quakers, 49 ff.
Quebec, 52, 69 ff., 78, 124.
Quebec Act, 47 ff., 52 ff., 55 ff., 57, 73 ff.

Regents, Commission of, 6.
Riedesel, Gen., 90, 98, 104, 122 ff., 134.
Rights and Grievances, Declaration of, 58.
Rockingham, Lord, 36.
Rockingham, Ministry, 28.
Romney, The, 30.
Rosewell, Mr. Henry, 1.
Ruddock, Mr., 34.
Rutledge, Mr. John, 50.
Saratoga, 70, 101, 117, 125 ff., 141, 150.

Saratoga, Surrender at, 125 ff., 133.
Schlesinger, A. M., 47.
Schuyler, Philip, Major Gen., 84 ff., 87, 96, 99 ff., 113 ff., 126 ff., 130.
Seneca Indians, 96, 112.
Second Continental Congress, 67, 72, 95, 98, 103, 114 ff.
Seven Years' War, 8, 80, 135.
Shelburne, Lord, 14.
Sons of Liberty, 14, 90.
Sophia Dorothea, 7.

Southerland, Col., 126 ff.
Sparks, Jared, 67.
Stamp Act, The, 14, 21 ff., 27 ff., 29 ff.
Stanwix, Fort, 109 ff., 113.
Stark, Gen. John, 87, 105 ff., 115.
Stillé, C. J., 25.
Stillwater, 101, 113 ff.
Sugar Hill, 96 ff., 120.
Sullivan, Gen. John, 77 ff.
St. Clair, Maj.-Gen., 96 ff.
St. James, Court of, 17.

Thomas, Gen., 76 ff.
Ticonderoga, 66, 70, 95 ff., 101, 103, 105, 121.
Townshend, Charles, 18, 28.
Tories, 96, 105 ff., 109, 115, 148.
Trinity College, 13.
Trumbull, Jonathan, 114.

Valley Forge, 133.
Vergennes, M. de Count, 140, 142, 145.
Vermont, 14, 94, 113.
Virginia, Charter of, 15.
Virginia, Legislature, 40.

Wales, Princess of, 8.
Walpole, Sir Robert, 7, 24.
Warner, Seth, 105 ff.
Washington, George, 63, 67 ff., 84 ff., 100, 101 ff., 113 ff., 120, 122, 129, 133.
Wayne, Col. Anthony, 95.
Webb, Philip Carteret, 10.
Whigs, 6ff., 17, 44.
Wilkes, John, 10, 12 ff., 25, 33, 138.
Wilkesbarre, 14.
Wolfe, Gen. James, 14.
Writs of Assistance, 19.

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